AN

INSTITUTION

OF

General History:

OR THE

HISTORY

OF THE

WORLD.

The THIRD PART.

CONTAINING

That of the *Constantinopolitan Roman* Empire and the Contemporaries with it: All distinctly by themselves, and yet linked together as the former Parts were.

FROM

The Taking of *Rome* by *Odoacer*, and the Exile of *Zeno* the Emperour, to the Deposing of *Irene* and Promotion of *Nicephorus*:

WITH

An Account of the several Actions, Polities, Laws and Things of moment, during the Reign of each Emperour, and the Original Atchievements and Polity of the *Franks*, the Dominion of the *Goths*, *Saracens*, *Arabians* and *Moors* in *Spain* and *Gall* within this Period.

By WILLIAM HOWEL, *LL. D. sometimes Fellow of* Magdalen *College in* Cambridge.

LONDON,
Printed for the Authour's Widow, by *Miles Flesher*. MDCLXXXV.

TO

The High and Mighty PRINCE

JAMES II.

KING of *Great Britain, France* and *Ireland*,
Defender of the Faith, *&c.*

GREAT SIR,

AMONG the Crowds of Loyal Counties and Corporations that Addreſs themſelves unto Your MAJESTY, vouchſafe to permit a deſolate Widow to approach into Your Sacred Preſence to Congratulate Your Happy and moſt Juſt Poſſeſſion of the Throne of theſe Kingdoms, by laying a ſmall Preſent at Your Royal Feet.

Which is due to Your MAJESTY by a double Title, both by right of Succeſſion to our late Gracious Sovereign, by whoſe Royal Bounty this Work was encouraged; and alſo by deſignment of the Authour, who intended, had not his Death prevented it, to have Dedicated this Book *To His Royal Highneſs* JAMES *the Duke of* York, which I now moſt humbly offer *To the Sacred Majeſty of King* JAMES *the Second.*

Whom I beſeech the King of Kings long to preſerve beloved of all his Subjects, dreaded by all his Enemies, and renowned to all Poſterity in the Hiſtory of Future Ages.

So prayeth with due Reverence

Your Majeſty's moſt Loyal Subject

Mary Howel.

THE PREFACE TO THE READER.

THE *Authour having ſaid ſo much in his Preface to his* Second *part of this Work, here is little occaſion to add much to this, but onely to give an Account in ſhort of this Volume.*

The Roman *ſhare thereof was compoſed out of Authours, as they are quoted in the Margent; beginning from the fall of* Auguſtulus, *and the Ruine of the Empire in the Weſt, (where the* Second *part ends) to the depoſing of the Empreſs* Irene, *and promotion of* Nicephorus, *with an Account of the ſeveral Actions, Polities, Laws and Things of moment, during the Reign of each Emperour (in particular, the new Modelling of the Civil Law by* Juſtinian) *and ſetting forth the Original, and all the Hiſtory of ſuch Nations as are mentioned in this Method, or had nothing memorable, or very little, but what is intermixed with theſe Affairs: And alſo ſuch Kingdoms as were at this Period, but lately begun, and little certainty concerning their matters can be known, are (according to the Method of the* Firſt *part) handled as they be Conſiderable.*

The French *part was taken from their own Authours as they are quoted generally, containing the Original and Progreſs of them, before their paſſing the* Rhine, *their Kingdom in* Gall, *from their paſſing the* Rhine, *to the Death of* Childerick *the laſt* Pagan *King, and the promotion of* Clodonee *the firſt* Chriſtian *one, to the Ruine of the Line of the* Meroningians, *which was ſucceeded by the*

the Carloningians, *and continued to the Advancement of* Charles *the Son of* Pipin *to the Title of Emperour in the West, with the Original and defeat of those Nations and Countries, which were over-run by the Conduct, Courage, or cunning of the* Franks; *shewing their Polity, Laws, Customs and Antiquities, out of the Original Tongue, with other critical Remarks suitable to the Nature and usefulness of such an undertaking.*

The Spanish *part was likewise taken out of their own Authours, containing the Kingdom of the* Visigoths, *or Western* Goths *in* Spain *and* Gall, *to the Death of King* Eurick, *the Father of* Alarick *the Great, then from the promotion of* Alarick, *to the destruction of this Kingdom by the* Saracens: *The Original of the* Saracens, *with an Account of their first founding their Kingdom in* Spain, *to the Rise of new* Gothick *ones, which at length procured the Ruine of it, being all Contemporary with the Constantinopolitan* Roman *Empire: Left under his own Hand in writing, which is attested by us,*

H. London.
Tho. Roffen.
Sy. Patrick, *D. D.*
Wm. Denton, *M. D.*
Rich. Ashfeild, *Gent.*

AN INSTITUTION OF General History: OR The History of the World.

The Third Part.

BOOK I.

Of the *Constantinopolitan Roman* Empire.

CHAP I.

From the taking of Rome *by* Odoacer, *and the Exile of* Zeno *the Emperour to the Reign of* Justinian *the Great.*

The space of fifty years.

Rome the Elder being in Captivity, the Younger Succeeded as Head of the Empire remaining.

1. ROME the Elder, being fallen from her ancient Dominion, and now a Captive, the Right of Succession to all her Empire remaining, was devolved upon her Daughter the younger *Rome* or *Constantinople*. And to her fell a very great Inheritance, though vastly short of what her Mother had acquired. For with the Ancient Lady her *Western* Provinces were gone into Captivity. *Italy* with her self was Subject to the *Heruli*; *Gall* was seized by the *Franks* and *Burgundians*; *Spain* was become the Inheritance of the *Goths*; *Britain* to be possessed by *Saxons*, *Scots* and *Pills*; *Africk* was held by the *Vandals*; and *Pannonia* by the *Ostrogoths*, *Hunns* and other Nations. But thence *Eastward* as far as the limit of *Mesopotamia* the *Roman* Empire remained entire to the young Sovereign Mistress; and the Northern Bounds and also the Southern were much the same; a fair Inheritance, as the Reader may find by that Inventary we have given him, at the beginning of the Second Volume of this Work, and therein otherwise is largely related. *A. D. 476. Basiliscus & Armatus Coss.*

Zeno the rightfull Emperour at this time.

2. The true and Rightfull Prince and onely *Roman* Emperour was *Zeno*, though now in Exile, being driven away by the Incroachments of *Basiliscus* the Tyrant, who usurped for about a year and six Months. *Procopius* writes that he lost his Power within a year and eight months, after he had driven *Zeno* and his Wife into *Isauria*; for then he became odious for his Avarice to the *Pretorian* Souldiers. This was not unknown to *Zeno*, who thereupon got an Army together and went against him. *Basiliscus* made choice of *Armatus* for his General, who led his Army against *Zeno*, and incamped near unto him, but delivered up himself and all his men into *Vide Baronium ad Ann. 477 & 478. Procopium Hist. Vandal. lib. 1.*

his hands, on condition that *Basiliscus*, a very Boy the Son of *Armatus*, being at present created *Cæsar*, should be owned by *Zeno* for his Successour. *Basiliscus*, thus forsaken by his Souldiers, betook himself to the same Church to which he had formerly fled; and was delivered up into the hands of *Zeno* by *Acacius*, who inveighed much against him for his Impiety, having been an earnest Defender of the Heresie of *Eutiches*. *Zeno* having recovered his Power, to keep his promise to *Armatus*, created his Son *Cæsar*, but in a short time deprived both the Boy of his Dignity, and *Armatus* of his Life. And *Basiliscus* the Usurper with his Wife and Children, he sent into *Cappadocia* in a sharp Winter, forbidding that they should be supplied with Food or Clothes, or other things which Nature required; whereby it came to pass that being oppressed with Hunger and Cold, they imbraced one another and perished together. So was *Basiliscus* punished for his wicked Actions, being betrayed by *Armatus*, who the foregoing year had been his Companion in the Consulship, though, because of the Usurpation, this following be onely known *by being after it, or after the Consulship of Basiliscus* and *Armatus*. To what *Procopius* writes concerning *Armatus* from others *Baronius* adds, That being in favour both with *Zeno* and *Basiliscus*, as he was the Kinsman of the latter, when by command of *Zeno* he was slain, the Citizens rejoyced, for under *Leo* whatsoever seditious *Thracians* he took, he cut off their hands. But *Basiliscus* killed one *Onoulus*, whom coming from his Barbarous Countrey very poor he courteously received, first made him a *Comes*, and then *Prefect* of *Illyricum*, and furnished him with much Plate for his Entertainments. But for his kindness, he so requited him by his barbarous treachery and bloudy hand. So we bid farewell to the Usurpation of *Basiliscus*, with this onely observation farther, that *Evagrius* differs so far from *Procopius* as to his Death, that he writes that being sent into *Cappadocia* to be killed, he was slain in a Station called *Acousus* with his Wife and Children.

Basiliscus made away.

Armatus killed.

A.D. 477. *Post Consulatum Basilisci & Armati.*

Hist. lib. 3. c. 8. & Anno 9. ad Anastasium Imperat.

3. *Evagrius* tells us, that *Zeno* after the Death of *Basiliscus* abrogated by a Law his Decrees which he had written in circular Letters: By these Decrees we suppose he means such Ordinances as he had made in reference to Religion, with which we are not to meddle in this place. And no such Law do we now find extant in the Code, though two others made by *Zeno*, and both at the latter end of the year, in *December*. One of them directs how an Estimation is to be made, of Damage sustained by a forcible Entry. The other ordains that no Rescript procured by the petition of any single Person, (then called *Adnotatio*) nor at the request of a Body incorporate or Society (termed *Pragmatica*,) be admitted by any Judge except it manifested that the matter suggested in the petition was true. Every *Quæstor* or *Magister Scrinii* that dictated such Rescripts should undergo Reprehension, and also the Judges that admitted them; and such *Memoriales* of any *Scrinium*, *Pragmaticarii*, or *Adjutores Primicerii* as should unlawfully write them so dictated should be punished with the loss of their Girdles. To which afterward *Justinian* added that the Subscription of the *Quæstor* should be necessary, in which should be contained, between whom, and to what Judge, and by whom the sacred Oracle (such terms were still used) was directed, otherwise it should not be received by any Judge upon pein of fining in twenty pounds of Gold, and as much by his Office. Of civil matters we meet with nothing more that was memorable this yeare xcept a terrible Earthquake, which happened on the twenty fifth day of *September* at *Constantinople*. Many Churches and Houses were demolished, the *Rostra* utterly defaced, and a vast number of people overwhelmed in the Ruines. Now also fell a Globe of the Pillar in the ordinary *Forum*, and the Statue of *Theodosius* the Great, placed upon a Pillar in the *Forum* of *Taurus*, with a great part of the inward Wall. The Earthquake continued long, so that a Stench also seized the City. These mischiefs *Baronius* takes to be fore-tellers of the great Evils that followed, when the Emperour cast off that Vizard of Orthodox Belief, with which at present he was covered.

Zeno restrains the surreptitious procuring of Rescripts.

L. 9. Cod. Just. lib. 8. Tit. 4. Dat. Id. Decemb.

L. 7. de Diversis Rescriptis, Cod. Just. lib. 1. Tit. 22. Dat. 10. Kal. Jan.

4. The year following was characterised onely with the Consulship of *Illus* who bore the Title at *Constantinople* without a Collegue. For in the West was none created, messages passing betwixt *Zeno* and *Odoacer*, about a Peace and good understanding; and as the Emperour would not intermeddle with the Affairs of that Tract, so the other not taking that Title upon him, but onely of King, would not arrogate to himself so much Power, as one well observeth. This year, for what we can perceive, was almost barren of civil Transactions, stirs again breeding about. Religious matters through the practices of the *Eutychian* Hereticks. Onely three laws we find bearing the Date of it, and two of them of the same day, or the first of *March*, directed to the same person *Sebastian*, the *Præfectus Prætorio*

A.D. 478. *Illo sine (ut in legibus scribitur) Ello Cons.*

Baron. ad h. Ann.

rio, though we cannot say they made up one and the same Constitution. "One of "them secures theright of Children, so as the propriety of things made over to their "Mothers in consideration of Marriage, should descend unto them; and if one of "the Sons died, his Children should represent him, and exclude the Brothers of "the Deceased. And Sons dying before their Parents, if Nephews by them re-"mained, they should succeed equally to their rights. For hereby Parents were "obliged to preserve to their Children profits rising by Marriage *in infinitum*; "yet so as they might have the liberty to chuse one of their Children, and on him "confer the said profits; as a Son might confer on one of his Children which he "pleased, what descended to him by virtue of a Donation made to his Mother in "consideration of Marriage. By the second law he gives greater liberty to the making of Donations than the Emperour *Constantine* was willing to allow, who in his time being acquainted with the great cheats and injuries which were committed by profuse, fraudulent and extorted Deeds of gift, whereby persons made havock of their Estates, gave them away to evade the Laws or cheat their Creditours, and were constrained to doe that to which of themselves they had no Inclination, by several laws he put a restraint upon these practices. As he required a corporal Delivery of the thing so given and granted, (*viz.* by delivering it into the hands of the Donee, if a moveable, if an immoveable by quitting it that he might take possession,) so he would have the Neighbours called to be Witnesses of the Act. And besides this, as he would have no Donation to be made contrary to Law, nor against the will and pleasure of the Donee, required moreover that should be contained in Writing, and as to the form, would have the Name of the Donor to be expressed, and the right and Title by which he was seized of the thing so given or granted; so he would have the gift Registred in the Register of a Judge or Magistrate.

Makes a Law in favour of Children.

L. 7. de Secundis Nuptiis, Cod. Just. lib. 5. Tit. 9.

L. 31. de Donationib. lib. 8. Tit. 54.

L. 1. de Donationibus, Cod. Th. lib. 8. Tit. 12. Vide Gothof. in L.

5. But as that excellent Prince discharged his duty in obviating the vitious Inclination of the Times wherein he lived, and in reforming the Abuses of use and custome, so now *Zeno* it seems, thought fit after feeling the pulse of his own Time, to take off this "Necessity of the Testimony of Neighbours, or others to "such Donations as were insinuated at the Acts, or as we say Registred in the Re-"gisters, or entred in the Records of Magistrates. And even in Donations not "Registred, he took off the necessity of Witnesses by this Law, provided the In-"struments were written by a *Tabellio* or publick Notary, or any other, or the "Donor himself, if such was the custome of the place, or even if no writing was "made thereof, the Donation might be good, provided there were other Suffici-"ent Evidence, as *Theodosius* and *Valentinian* had formerly written to *Hierius* the *Præfectus Prætorio*. The third law of those we mentioned to have been enacted this year, was in favour of *Illustrious* Persons, and is directed to one *Alexander* of that Rank, though whether in or out of Office is not expressed in the Direction, a thing rare in the Constitutions of Princes made after the time of *Constantine*. For he hath no Title given him, neither yet doth the Law it self seem to hint that he did *Militare* or was in actual Service. "For it declares, that if an Action of Injury be brought by, or against, any Illustrious Persons, either in actual service, (*militantibus*) or out of Employment, (*sine cingulo constitutis*) their Wives, Sons, Daughters, (their illustrious Fathers and Husbands being yet alive) if the Action be Criminal, the party accusing shall make the usual Inscription (to undergo the *lex talionis* if found to slander,) and doe other things solemnly which are required in such cases, but the Accuser or Accused may appear by their Procurators, without being bound to doe it in Person, to which privilege he forbids all other persons to aspire, or to petition him for it; requiring that that customary form of proceeding in Judicature be punctually observed. This same privilege, by a Novel of *Valentinian*, was given to Bishops and Presbyters, provided they subscribed also, and the condemnation should be in their Names. Otherwise it was a general Rule, *In criminal causes none can transact by a Procuratour.*

Of Donations.

Of Illustrious Persons.

L. 11. de Injuriis, Cod. Just. lib. 9. Tit. 35. Dat. 5. Non. Novembr. Alexandro viro Illustri.

6. The next year, or the CCCCLXXIX of our Lord, is marked in the *Fasti*, with the third Consulship of the Emperour *Zeno*, who, for what we can see, did very little of moment in it. Yet two Constitutions are still extant in the Code of *Justinian*, bearing his Name and the Date of this year, by one of which he took farther care about Donations before Marriage. "By the Second he ordains that "Mothers shall be subject to a Necessity of moving for Guardians, as well for their "Natural Children, as those born of lawfull Wedlock; and that Ignorance shall "not excuse them from such penalties as by Law or Constitutions they are lyable "to upon such neglect, that is of being deprived of the Right of succeeding to such

A.D. 479. *Zenone A. 3. Cons.*

L. 29. de Inofficioso Testam. lib. 3. Tit. 28. Dat. Kal. Maii.

Takes care for Minors.

L. ult. Qui pertant Tutores vel Curatores, Cod. Just. lib. 5. Tit. 31. Dat. Kal. Sept.

Children when nearer Heirs are wanting. As small Intelligence have we concerning any thing transacted in the CCCCLXXX year of our Saviour, wherein *Bassilius Junior* was Consul: But also we find two Constitutions published by *Zeno* on one and the same day, or the first of *May*, though directed to two several *Prefects*, as to which a mistake might be committed by some Scribe. Whereas Indulgence was by the laws granted to Minors, or those under the Age of five and twenty, so as in respect of their want of experience, if they were deceived in Bargains and Transactions, they might be restored *in integrum*; such an abuse was made of this favour, that *Zeno* now declared, That in case they had made use of the Law, and had the benefit of it, and therein received Damage, no restitution should be granted to them. And whereas for weighty reasons, the *Romans* had been wonderfully strict in the making of Testaments, so as such Lawyers or others as dictated Wills, and such as were Witnesses to them, could anciently receive no benefit by such Wills, because of the temptation they had to falsifie their trust, or work upon the weakness of the Testatour; now by use and experience so little damage appeared in such cases, that he gives liberty to Testatours to leave what they think fit, in a due and lawfull manner to such persons, by way of Legacy or *Fideicommissum*.

A. D. 480. *Basilio jun. Cos.*

L ult. de in integrum restitutione minorum, Cod. Just. lib. 2. Tit. 22.

Relaxates the former Rigour in making Testaments.

L. 22. de Testam. Cod. Just. lib. 6. Tit. 23.

7. The CCCCLXXXI of our Lord had *Placidius* for Consul, and besides having thence a Consul was very remarkable to the East, for the danger that threatned it and *Constantinople*. The Authour of this Danger, as *Euagrius* tells the story, was *Theodorich*, and him he terms a *Scythian* by Nation. He writes that preparing a War against *Zeno*, he raised an Army in *Thrace*; and wasting all the Territories that lay before him, peirced as far as to the entrance of *Pontus*, and was not far from taking *Constantinople*. His design was hindered by those neerest about him, or his most inward Friends, who being vehemently offended at him, conspired his Destruction. This being discovered by him he retreated, but not long after was numbered amongst the Dead though by other means. It happened that in his Camp, his Spear which was double pointed hung aloft according to the barbarous custome; It so hanging, he had a mind to exercise his Body, and his Horse was called for, he leaped upon him hastily, (as his manner was in doing other things) and the Horse being skittish and unbroken, before he could fitly dispose of his Legs, and sit fast in the Saddle, reared on end, so that *Theodorich* was extremely put to it to hold his hold, not daring to curb him, lest he should come over with him; and by this means being tossed about, and not commanding either Horse or himself, he light upon the Spear and so shook it, that it peirced his side with such a Wound, that taking his Bed he died of it not many days after. Now whereas *Marcellinus* placing this Accident in this year, relates it concerning *Theodorich* the Son of *Triarius*, and writes that he peirced as far as *Anaplius*, a place distant but four Miles from *Constantinople*, and thence purposed to March for *Illyricum* when he was thus by Death prevented. *Baronius* blames *Jornandes* or *Jordanus* the *Gothick* Historian, for writing this to have been not *Theodorich* the Son of *Triarius*, but *Walemir Amalus* King of the *Goths*, the Brother of *Theodomir* who was Father of *Theodorich Amalus*, who this year succeeded in the Kingdom of the *Goths*.

A. D. 481. *Placidio Cos.*

Theodorich moving against *Zeno*,

lib. 3. c. 25.

Miscarries presently after.

8. To this story of *Theodorich*, *Euagrius* subjoyns other designs prosecuted against *Zeno*, which fell out about this time, probably, if not in this year, in that which followed, or the CCCCLXXXII of our Lord, which was characterised with the Consulship of *Severinus*. These things being done, saith he, *Martian* the Son of *Anthemius* who had been Emperour at *Rome*, and joyned in Affinity with *Leo* the late Emperour at *Constantinople*, began to exercise Enmity with the Emperour *Zeno*. The truth was, having Married *Leontia*, the younger Daughter of *Leo*, he aspired after the Sovereignty, which proceeded so far", that in the Palace a great Fight there was, many were killed on both sides, and *Martian* had the better, forcing his Adversaries to retire, and had been Master of the Court, if by deferring what he designed till the following day, he had not lost his opportunity, but taken time by the forelock. But the day following, he was betrayed by his followers and left alone, whereupon he fled to the Church of the Holy Apostles, and thence being taken by force, he went to *Cæsarea* in *Cappadocia*, where joyning himself with some Monks, to lie concealed, he was discovered, and sent by the Emperour to *Tarsus* in *Cilicia*, and being shaven was designed a Priest. *Euagrius* adds that these things were very Elegantly written by *Eustathius* the *Syrian*, who moreover related how *Zeno* laid almost infinite Snares to intrap *Berina* his Mother-in-Law, that afterwards he Banished her into *Cilicia*, and then again confined her to

A. D. 482. *Severino Cos.*

Martian rebells,

Ibid. c. 26.

Is forced to enter into Orders.

Idem Cap. 27.

to the Castle called *Papiriana*, wherein she died at what time *Illus* Usurped. The things that were done by *Illus* the said *Eustathius* very neatly related, then how being laid at by *Zeno* he fled, as also how the Emperour put to death him to whom he had given orders to kill him, cutting his Head from his Shoulders, to reward him for his fruitless indeavours. But *Illus* to conceal his Intentions he made Captain of his Troups that served in the *East*, and he contracted Friendship not onely with *Leontius*, but *Marsus* an Eminent man, and *Pamprepes*, and made his Abode in the Eastern parts. And *Leontius* was declared Emperour at *Tarsus*, in *Cilicia*, but what Fruit those men reaped by their Usurpation, when *Theodorich* a *Goth* by Nation, but held in great Honour by the *Romans*, was sent General against them with an Army, as well of Native Subjects as Strangers, and how they were miserably Slain by *Zeno*, for the good will they had born him; Moreover how *Theodorich* knowing the will and design of *Zeno*, betook himself to old *Rome*, the same *Eustathius* doth neatly deliver in Writing. So *Euagrius* too concisely, from whom it should seem that these men were persecuted by *Zeno*, and in a manner constrained to become his Enemies.

Zeno forceeth others to revolt.

Vide Barr. ad h. An.

9. The CCCCLXXXIII year of our Lord, had for Consul *Anicius Faustus*, whether in the *East* or *West* we are not certain, though the *Anicii* had their Estate in the *West*, as we have formerly seen, and their Abode at *Rome*; but that there was a commigration of *Roman* Families from one Quarter to another, may be easily granted; as also that *Odoacer* though he named no Consuls himself, might admit that those now subject to his power, might receive that Dignity. But as this matter is obscure, so are all other Affairs belonging to this year, and of civil concernment; for as to the Ecclesiastical, *Zeno* was too much employed in those of Religious concernment. But the year ensuing, or the CCCCLXXXIIII, was remarkable for having two Consuls again, and one of them *Theodorich* a *Gothick* King, with whom was joyned *Venantius*: *Theodorich* was advanced to this Honour for having vanquished the Usurpers lately mentioned, for which he had also a Triumph, and a Statue on Horseback erected to his memory. This Victory touched at by *Euagrius*, is rationally thought to have given occasion to the conferring of those Honours mentioned by *Jornandes* the *Gothick* Historian. He writes that *Zeno* the Emperour hearing how he was appointed to be King of his Nation, took it acceptably, and by an *Evocatory* Letter, commanded him to come to the City, where he received him with worthy Honour, and placed him among the Nobles of his Palace, and after some time, to inlarge his Honour in reference to Arms, he adopted him his Son, gave him a Triumph in the City at his own Expence, and he was made Ordinary Consul; which saith the Historian is cried up as the cheif good, and the first Ornament in the World. But this was not all, he also set up before his Palace a Statue on Horseback, to the renown of so great a man.

A. D. 483. *Fausto Cos.*

Theodorich a *Gothick* King is Consul.

A. D. 484. *Theodorico & Venantio Cos.*

c. 57.

Upon what account.

10. The year of our Lord CCCCLXXXV, had *Symmachus* alone for Consul, and hath also little remarkable, except we take notice of what *Baronius* hints from *Marcellinus* his *Chronicon*, that *Longinus* the Brother of *Zeno*, who had been detained in custody by *Illus* in *Isauria* ten years, now came to him to *Constantinople*. Him did *Zeno* indeavour to make *Cæsar*, that he might leave him his Successour in the Empire, but because he was a profligate Person, never could he doe it, being amongst others opposed by *Pelagius* a *Patritian*, a man of great reputation. For *Suidas* writes, that *Longinus* and *Conon* the Brothers of *Zeno*, making use of their power unjustly in all Cities, took the Estates of other men, and for reward defended such as were guilty of most grievous crimes. As for *Longinus*, being guilty of all sorts of Incontinency, he was the daily companion of drunken Persons, and kept many Pandars about him, who promising to convey to him the Wives of the greatest men, by bringing in splendid Chariots Strumpets that were curiously dressed, did but cheat him. He dissolved also a company of Nuns after this manner, being told by certain Procurers that they were very handsome, coming often to *Pergæ*, he sent them certain presents of things to Eat and Wear, and otherwise to divert them from their melancholick Life, and yet entring the Monastery, drew away more of them by force than persuasion. For he was so wanton that importunely he would offer violence to Women of ingenuous condition, the Wives and Daughters of Magistrates, and carried himself impudently in all concerns. Nay, when he went abroad, he would cast away Silver Balls, and Bracelets to entice them.

A. D. 485. *Symmacho Cos.*

Zeno would make his Brother *Longinus Cæsar*.

Vide Baron. ad h. An.

For *Longinus* his dissolute Life hinders his preferment.

11. Such disorders were committed by *Zeno's* Relations; which we cannot wonder that he permitted, when his Government was out of order, by reason of the evil

evil Ministers he indulged, if *Suidas* be in this matter also to be credited. But he farther Writes, that the *Romans* had been sensible of an happy administration, if *Sebastian*, being most powerfull at Court, had not carried him every way as he listed, selling all things as in a Market, and not suffering any thing to pass in the Palace without money. All Offices he sold, partly keeping the money to himself, and partly dividing it with the Emperour, and who gave most was the man that was preferred. In conclusion, at Court there was nothing that was not sold. If it happened that *Zeno* gave an Office to any of his Friends, he would redeem it out of their hands, as if it had been a Captive, and sell it for a larger Sum. But what wonder should there be that *Zeno* would suffer such corruption, when he permitted the manners of his Son, and him that was to succeed him to be so corrupted? He, as the same Authour writes, adorned him with Dignities, and commanded him to exercise his Body for the increase of his Stature. But those about him having got an occasion of emptying the Treasury, took care that the Youth should be corrupted with *Sybaritick* Luxury, and by their villanous pimping, provoked him to the love of those that were equal with him in years. Therefore the course of his Life carrying him to Pride and Luxury, being removed from all honesty, and bearing a lofty Countenance for his expectancy of the Sovereign Command, he began to go stately, and carry his Head high, and indeed to demean himself to all men, as if they had been his very Slaves. But for his depraved disposition, Providence so punished him, that defiling his Bed for many days without any Sense, he was taken away by Death in an immature Age. As for *Sebastian*, he was *Præfectus Prætorio*, several Laws being found directed to him both already, and hereafter to be mentioned.

Sebastian an Evil Minister.

Zeno's Son, a great Debauchie,

Dies.

12. The following year, or the CCCCLXXXVI of our Saviour, had two Consuls to characterise it, and these were *Decius* and *Longinus*. Their Names we find to three several Constitutions, published in this Consulship by *Zeno*, one on the twelfth before the Calends of *June*, whereby he gave authority to Judges to animadvert upon false Witnesses, ordering that all bearing testimony in civil matters should be examined aside and not before the Parties, and that without any prescription of Judicature. This is directed to *Arcadius*, the *Præfectus Prætorio*; and the second bearing date of the first of *July*, we find inscribed to *Basilius* with the same Title of *Præfectus*, and as it seems of the *East*, out of which a complaint was brought concerning private men, their using of Prisons. *Theodosius* the Great had formerly by an Edict, directed to *Erytrius* the *Præfectus Augustalis*, ordained that if any person should confine any Malefactour to a private Prison, he should incur the crime of High Treason. This concerned the *Diocese* of *Ægypt*, or that of *Alexandria*, which City as above measure it was apt to breed Seditions, so it seems was fruitfull of such a kind of Insolence. "That Law was now so far laid "aside, and forgot, that *Zeno* was constrained in many words to reinforce it, com- "manding that it should be lawfull to no man in the most splendid City of "*Alexandria*, throughout the *Ægyptian Diocese*, or in any Provinces of his Em- "pire, either in their Fields or any where else at Home, to exercise the custo- "dy of a private Prison, but that the *Spectabilis*, the *Præfectus Augustalis*, for the "time being, and the *Clarissimi*, the Governours of all Provinces, should doe their "indeavour and be always watchfull, that the said Arrogance of most Wicked "men might be suppressed. For after this his most wholsome Constitution the said "*Præfectus Augustalis*, and whatsoever Governour of a Province, shall without "doubt incur the crime of High Treason, if he know of such wickedness and do "not punish it. The same crime shall be incurred by the *Primates* of *Offices*, if "knowing of such forbidden practices committed in any place, they do not pre- "sently acquaint therewith their own Judges to have them suppressed. For it is "evident saith he, that such as commit this sort of crime, even by the tenor of "ancient Laws and Constitutions, are to be punished with Death, as Violators of "Majesty it self, or Traitors.

A. D. 486. *Decio & Longino Coss.*

Zeno restrains false Testimonies.

L. 14. de Testibus, Cod. Just. lib. 4. Tit. 20.

L. 1. de Privatis carceribus inhibendis, Cod. Just. lib. 9. Tit. 5.

L. Un. Cod. Th. Cod. Tit.

Prohibits the keeping of private Prisons.

Semperque futuris inspectis.

13. By ancient Laws and Constitutions, that Edict lately mentioned of *Theodosius* is principally meant, intended for the same *Diocese*, and in both Constitutions the crime is declared to be High Treason, it being indeed such to bear ones self for a Magistrate, having no Authority, and so he doth who keeps a private Prison, which is one mark and Symbol of Royalty amongst others. Before the time of *Theodosius* private Imprisonment was onely restrained and punished by the *lex Julia de vi*; but whereas in his time other sorts of Violence were chastised by Deportation, or more light Punishments, he thought fit to inflict Death on this by making it High Treason, and for this reason, that whereas other Acts of Violence offended indeed

Which was forbidden by ancient Laws and why.

Vide Gothofred. in d. l. Theodosii.

indeed against the publick Discipline, such as Usurped the Right of Prisons strike at the Majesty of the Emperour himself, whose Prerogative it was by the Magistrates constituted by his Authority to commit to Prison. Indeed of old time such Debtors as could not pay what was adjudged, were wont to be committed to Custody, as appears by the Laws of the twelve Tables; but this Custome was now grown obsolete. By the *Lex Julia*, concerning Adulterers, A man who found an Adulterer with his Wife, might also detain him at his House, or where he first caught him for twenty hours by Day and Night; but this was not by way of Imprisonment, but for testifying and proving the Fact. Moreover by the *Pontifical* Law, Clerks may in private Houses chastise and keep bound their faulty Wives. And *Gothofred* tells us, that by the Custome of his Countrey, the same was granted to an Husband, after the hearing of the matter, the circumstances of persons being duly weighed; if so be a Judge committed the custody of a wicked and hare-brain'd Wife, to an honest and prudent Husband. Mad-Folks also may be kept up by their Friends and Relations, and the *Ergastula* or Work-Houses of Slaves and Freedmen, or such as sold themselves to Drudgery bore some resemblance to private Prisons; but were not such really and meant by those Laws: For hereby was prohibited that restraint which was put by greater men upon those of meaner Condition in this kind, and particularly by Possessours of Lands upon their *Coloni*, or Tillers, as *Gothofred* shews from an Oration of *Libanius*, written in the time of *Theodosius*. The Emperours were so tender of the Liberty of their Subjects in this point; that the *Stationarii*, as we have formerly seen, who were employed in searching for Malefactours, were forbidden to have a Prison, and keep them in Custody, though for a manifest Offence.

14. However, though this Constitution of *Zeno* was thought fit to be put into the Code of *Justinian*, yet *Justinian* afterwards enacted a milder Punishment for this crime of private Prisons. He forbad them to be used, and subjected such as usurped them to pein; and to continue as many days in publick Prison, as they kept any in a private one, of whatsoever Condition or Dignity they were. They should also loose the Cause they had against such as they so Imprisoned, by the care of the Bishop and the *President*. And if the President neglected his Duty herein, he should incur danger both of Estate and Life. The third Law made this year by *Zeno* is concerning the Advocates, which pleaded in the Court of the *Præfectus Prætorio* of *Illyricum*, and their privileges. "He tells *Paulus* the *Prefect*, that "he will allow his *Highness* an hundred and fifty and no more, as formerly had "been ordained, and such when their term was expired, or they Died, or other- "wise their number was diminished, shall be supplied by the choice of his *Magnifi- "cent See*. At the close, whatsoever Privileges had been granted to the Advo- "cates of the Prefectship throughout the East, without any difference, he confers "on the Pleaders of his *most glorious See* also. As there was a certain and determinate Number of Advocates in each *Forum*, so of that Number none were perpetual but Temporary. Yet scarcity of Lawyers about the time of *Theodosius* the younger caused them to be perpetuated. But then again, when there was plenty of Students, *Valentinian* and *Martian* for their Incouragement, reduced the ancient Law, which continued thenceforth to be approved and in use. Having executed honestly and with Ability the Office of Advocate for a certain time, they then were promoted to the Patronage of the *Fiscus* or Treasury, and afterward by degrees to other various Honours, enjoying that of the *Clarissimatus* upon their leaving the Bar, where, in the Courts of the *Præfecti Prætorio* and of the City, they were wont to plead for twenty years, or fifteen at least.

Justinian afterward mitigated the punishment.

L. 2. Cod. Just. ead. Tit.

Zeno limits the Number of Advocates in the *Forum* of the *Præfect* of *Illyricum*.

L. de Advocatis diversorum Judicium. Cod. Just. lib. 2. Tit. 7. Electione magnificæ tuæ sedis.

Advocates not perpetual.

Vide Cujacii lib. 16. Observ. c. 22.

15. The following year, or the CCCCLXXXVII of our Saviour, was enobled by the Consulship of *Boetius*, thought to be the same with *Manlius Severinus Boetius* that famous person of whom we are to hear much, being of the noble *Anician* Family. And for little more is this year famous, except it was for the danger into which the City of *Constantinople* was brought by the defection of *Theodorich* King of the *Goths*; for as *Baronius* well observes, there is very great difference betwixt Authours concerning his carriage toward the Emperour *Zeno*, some making him very serviceable and obliging till his very going for *Italy*, and seizing on that Countrey; and others writing him to have been false, and indeed to have fain upon the West, because he could not become Master of the Empire in the East. But this we must farther inquire into, when we come to relate his Conquest of *Italy*. Now as to this year, *Marcellinus* notes that being satiated with the kind Offices of *Zeno*, he came as an Enemy with a great Power of his *Goths*, as far as the Royal City and the town *Melantias*; and having set fire to many places retreated to *Novenfit*

A. D. 487. *Boetio Cons.*

Theodorich infests the Empire.

sis a City of *Mysia*, whence he began his Expedition. As this year was otherwise empty of civil affairs so far as we understand, so that which followed, or the CCCCLXXXVIII of our Lord was quite barren, onely it had two Consuls by the Names of which it was marked, *viz.* *Dinacrius* and *Siphidius*. *A. D.* 488. *Dinacrio & Siphidio Coss.*

16. In like manner that which followed, or the CCCCLXXXIX of our Lord, had for Consuls *Probinus* and *Eusebius*, and all the Noise being now in the West, where *Theodorich* at length became Master of the Kingdom of *Italy*, little do we hear of in the East or at *Constantinople*. And though probably *Zeno* not otherwise diverted might be busier with his *Quæstor* in making Laws than we can know, there being many extant in the Code without date of Consul, yet find we but one Constitution made this year which was concerning Children, burthened by their Parents with a trust or *Fidei Commissum*, concerning their retaining a fourth part allowed by the *Senatusconsultum Trebellianum*. For the year CCCCXC onely one Person, *Faustus* by Name, is nominated as Consul in the *Fasti*, but others mention *Faustus Junior*, and *Longinus* for Consuls the second time. This year is not Eminent except for the Murther of *Pelagius* the *Patritian*, whom *Zeno* caused to be strangled in the Island called *Insula Paganorum*; a Person famous in several respects, for Poetry, and for taking the liberty to reprehend him openly for his wicked Actions. At his Death, he prayed to God to punish him for his Cruelty and Injustice, which he said he underwent for repressing freely his Violence and withstanding the making of *Cæsar* his foolish Brother. He wrote an History in Verse, which took its beginning from *Augustus Cæsar*; he composed also *Homerolentia* and other Treatises praise-worthy. But besides him, *Zeno* put to Death *Gazæus* a Rhetorician, *Arcadius* a Prefect, and other Illustrious Persons.

Pelagius the Patrician made away.

His writings.

L. 6. Ad Senatusconsultum Trebellianum, Cod. Just. lib. 6. Tit. 49

A. D. 490. *Fausto Cons.*

Vide Bar. ad h. An.

17. At length we are arrived at the Year CCCCXCI of our Lord, which brought the Punishment along with it prayed for by *Pelagius*, and in which *Olybrius* alone was Consul. *Cassiodorus* notes in his Chronicon, that *Zeno* died this year, and we cannot say he died and was Buried, but *was first Buried and then died in a fearfull manner*. Either seized with the Epilepsie, or dead Drunk, or in a fit of a melancholick Apoplexy, which long after brought *Scotus* the great Schoolman to the same end, (if a late Eminent Physician hath made a right Judgment of the Disease,) he was laid out for Dead, and as such carried down into a Vault, where recovering his Senses, he cried out and made an horrible Noise. But *Ariadna* his Wife bearing him no good will, either out of hatred to his Vices, or because she desired another Bedfellow, would not suffer him to be releived, so that if *Cedrenus* tell the truth, he was afterward found to have eaten the Flesh off his Arms, and the Buskins he had upon his Legs. To some such end came *Zeno* with whom we have not yet done, finding many Laws of his making without Date, and therefore not able to assign them to particular years; but of such as are proper to our design we shall take notice. Observing how many men, to avoid the discharge of civil Duties, sheltered themselves in these days in the Service of the *Magistri militum*, "he declared that supernumeraries or such as were beyond the appointed Number in "*Officium* of him of the East, should be subject to the Sentence of civil Judges in "every Affair, even in reference to Tributary Collations; directing the Constitution to *Sebastian* the Prefect.

Zeno is Buried and Dies.

Olybrio Cons.

Lege Sennerum de Apoplexia melancholica.

Some Laws of his without date

L. 3. de Officiis Magistri Militum, Cod. Just. lib. 1. Tit. 29.

18. To remove a doubt, whether the same *Proctor* after Sentence given in a Cause, might not prosecute it also in the Court of that Judge to whom it was appealed; "by another Edict he also declared, that one Person should not be *Proctor* "in two Judicatories, but that one should practise as such in the greater Auditory, "as for example of the *President* of the Province, and another in that from which "a Cause was appealed or referred, as for instance, that of him they called *Judex* "*Pedaneus*; so that the same man who acted before the latter could not doe it too "before the former, but should make a Translation of the Cause or the Mandate, "to some one of those which practised in the Court of the *President* of the Province, without any charge or expence for a new Caution, the former sufficing. "And he inflicts punishment upon both *Proctors* and *Apparitors*, who should "neglect this Constitution. For such as were assigned Judges, and not onely Magistrates, had also their *Apparitors*. And *Cujacius* further observes from this Constitution, that as of *Advocates*, so also of *Proctors* there was a certain number in every *Forum*, to whom alone such as had Suits might commit their Business and not to any whatsoever, which holds also at this day. And in the last place, that each Judicatory had its proper and peculiar *Under Judges* or *Judices Pedanei*, to whom Causes were delegated or referred. These did not Act in their own Jurisdiction, nor executed their own Sentences, but to execute them, took some out from

No one to be *Proctor* in two Judicatories.

L. 27. de Procuratoribus Cod. Just. lib. 2. c. 13.

Observa. lib. 13. c. 5.

from among the *Cohortales*, out of the *Scholæ* or *Scrinia*, of which we have formerly spoken. But such Judges as were delegated by the Prince himself might have *Apparitors* of their own, or such as executed their Decrees, as Magistrates themselves; and so it is no wonder that they might delegate others, which the *Pedanei Judices*, or such as were delegated by Magistrates could not doe. "This must be "said, that *Zeno* of Judicature had a great care, commanding by other Edicts "that Judges should follow strictly the Law, and not what was irregularly com-"manded by the Prince. That they should dispatch Business, and if any Judge "at the motion of either of the parties protracted the Suite without necessity, the "other should betake himself to the Prince and make complaint of his delay. Now from one of the greater Judges the Prince was appealed to after Sentence, but a complaint might be made to him before Sentence of protracting the Tryal. And before contestation of the Suite, the Judge might be refused; "but *Zeno* forbad "it should be after the Suite was contested. In case such Judge seemed incompetent, as to some Article or point of the Cause, he should by his own decree remit "that matter to some other Judge that was competent indeed.

Leon Obs. lib. 12. c. 1.

Zeno had a great Care of Judicature.

L. 1. 11. 12. de Judiciis, Cod. Just. lib. 3. tit. 1.

19. By the old Law, If a man sued for more than was his own, either as to time, before it was due, or as to Sum, he lost his Cause. Now this *Zeno* thought unreasonable as to time, as afterward *Justinian* did as to the Sum it self, where there was no *dolus malus* or design of him that sued. As he took off the rigour of the old Law in this matter, so he was indulgent to Persons of the greatest Quality about him, and those who were his greatest Officers, or had executed the greatest places of Trust, when they appeared as Criminals. "He ordained that a *Patritian* or one who had been such, one who had been Illustrious "by executing the Prefectship either of the *Prætorium* or City, an ordinary "Consul, or one to whom the Honour was given by the Prince his Codicills, "one famous for the having undergone the labour of the *Magisterian* Power, who "had executed the place of *Magister Officiorum* or *Quæstor*, who having been his "*Præpositus Cubiculi* had been made a Senatour, or one to whom he had commit-"ted the Government of the School of the *Domesticks*, or of his Treasures, of the "*Res privata* either of himself or Empress; if such after having laid down should "be accused of a publick or private Crime, to which they could not answer by a "Proctour living either in the City or in the Provinces, none should have cogni-"sance of the same but himself, or onely such *Sacred Cognitor* to whom he should "commit the hearing of the Business *vice sua*, by his sacred Letters. Yet so that "by such a Judge not being attended by the Ministery of any *Officium* or *School*, "after the manner and order of sacred Consultations, without any observance of "fatal days, such Causes should be heard, the *Libellenses* (*Viri Devotissimi* he "terms them) of his sacred *Scrinium* performing the Solemnities; He who is ac-"cused (that before proof no Injury may be done him,) having leave to sit in "some part of the *Secretarium*, inferiour to that of Judges, but above the ordinary one of such as have Business there. And out of respect to these Dignities, the "very *Sacred Cognitor* himself, after the proof of the Crime, shall not determine "any thing against their Persons or Estates, but in the room of the Prince himself "hearing the merits of the Cause, if the Offence be proved, he shall certifie him "thereof, in whose power alone it shall be to punish offenders of such Quality. "But he declares it to be Law, as formerly it was, that such a *Cognitor* may absolve such a person and put a stop to the Calumny of the Accuser, except the "Accuser be also of the same Dignity, for then his Calumny is not to be suppressed without consulting the Authority of the Prince.

L. 1. de plus. petitionibus, Cod. Just. lib. 3. tit. 10.

L. l. 11. 12. eod. tit. Vide Cujacii Obs. lib. 7. c. 27. & lib. 12. c. 21.

Was kind to great Persons.

L. 3. Ubi Senatores vel clarissimi, &c. Cod. Just. lib. 3. tit. 24.

20. "But as for Illustrious Persons living in the City of *Constantinople*, who "without any actual administration were made honourable by Letters or Codicills, although by the Emperour's command, they had obtained such prerogative "as to seem to doe what they never did, in Causes Criminal they should be subject to the Judgment of the *Præfectus Prætorio*, the Prefect of the City and the "*Magister Officiorum*, upon a special Commission issuing out from the Prince, so "as those men shall not have the liberty of sitting in Tryals: but such must know "that they shall not determine any thing about their Persons or Estates, when the "thing is proved without consulting him. As for Illustrious Persons that lived in "the Provinces, except such as the Cognisance of whose Crimes belonged to himself, or to such sacred *Cognitor* as he should depute in his room, and were accused of some Crime, they should have liberty to sit in the *Secretarium* at their Tryals, and their Crimes being proved, the Judges should abstain from giving Sentence against them or their Estates, till they had received Answers from the

" Prince to their Reports. The punishment also due to Calumniatours shall not " be deferred by Provincial Judges, though the Parties have not the like dignity " as before was spoken of. By this we see the great Privileges enjoyed by Illustri- ous Persons in this Age, whereof one was great, to have no Fatal times. And the other of sitting in the *Secretarium* we have formerly seen allowed, it being ordi- narily indulged to the Illustrious in criminal causes in a place inferiour to that of the Judges, both in the City and in the Provinces; but to Honorary or Codicillar Dignities onely in the Provinces. Hence some collect that such respect shall be paid to most eminent Persons, as to answer sitting. We see that in the *Secretaria* or Auditories of Judges, there were three degrees or sorts of Places; one of the Judges themselves, another of Illustrious Persons, and the third of Plea- ders and such as had business to transact. It's observable also that this Law gives one exception to that Rule, That power Condemning and Absolving go together, so as a Judge that doeth one may doe the other. In the last place the Offices of Magistrates being Annual, they neither could ordinarily be Plaintiffs nor Defendants till their time was out.

Took great care for punishing false Witnesses.

21. *Zeno*, besides what we have already said of this subject, took great care for " prevention and punishment of false Testimony. A false Witness he would have " first impeached of Perjury, and then afterward of the crime of Falshood; of Per- " jury because Witnesses were not heard except sworn. If in the very time of " Testimony a Witness were suspected to lye, he commands him to be subjected " to torture. A person cast by a false Witness, if he pleased might bring a crimi- " nal Action against him. If he would bring a civil, he should recover all dama- " ges, and besides this, the false Witness should be punished according to the Laws. " If in the principal matter he was convicted of lying, the Judge might condemn " him in the whole or less, and also subject him to punishment, observing over " and above what formerly the Laws had prescribed concerning false testimonies. " Moreover for prevention of a crime so horrible and prejudicial to the publick " good, he gave authority even to those called *Judices Pedanei* to correct false Wit- " nesses and subject them to torture, if they were *Plebeians*, taking to their assi- " stence the *Præfectus Vigilum*. And in case such Witnesses were *Decuriones* or of " Dignity, that such a Judge could not animadvert upon them, he should report the " whole matter to the Magistrate, by whom he was delegated, so as nothing should " be paid for the entring of the report; and if the thing was plain, then the Ma- " gistrate should give his sentence either for admitting or rejecting the Testimony. " But if it required more search and scrutiny, the cognisance of the matter should " again be delegated to the Judge, with a *non obstante* to any Prescription of the " Court, and any privilege; for *Witnesses when they have given their testimony* " *seem to have renounced all Privileges.* *L. I. 13. 15. de Testibus, Cod. Justi. lib. 4. tit. 20.*

22. " A person who denied his Adversary to be his Kinsman, and that falsely, " and required proofs from him of such kindred, he declared should have no right " to succeed as Heir to such person so denied, if he died intestate. And he who " required such proofs should not be heard, except he took the Oath *de Calumnia*, " and the right of Succession was preserved for him that swore. As for proving " kindred he required five Witnesses, if there were no private Instruments or Wri- " tings, or three if such Writings were found; but if there were publick Instru- " ments or Writings they should suffice without any Witnesses. In the last place " one who was Witness to such Writings should be compelled to give testimony of " them whenever it was demanded of him, after he had depos'ed as such. This care that *Zeno* had to prevent false testimonies, was very commendable, nothing being more prejudicial both to lawfull acquiring, and keeping an Estate. But he made another Law, which was also of very great moment, in order to the first of the two, and nothing is more memorable that he enacted. The practice of Mo- nopolies had been complained of in all Ages, and under every Prince, as *Pliny* writes, and frequent *Senatusconsulta* had been made against them. Yet the Em- perour might grant liberty when he saw convenient to a certain person or Body Politick to have the sole sale of certain Wares, under a burthen of such a Tribute or Imposition to the Treasury.

He forbad Monopolies.

23. But *Zeno* by a Constitution directed to *Constantine* the *Præfectus Prætorio* thought fit to command, " That no Person whatsoever should dare to exercise " a Monopoly of any kind of thing belonging to the sustenance of Man, " or to any other use, of any materials whatsoever, by his own Authority, or " by virtue of any Sacred Rescript either already procured or to be procured, or " by any pragmatick Sanction, or any Sacred Adnotation of the Prince. Neither " should *L. un. de Monopoliis, Cod. Justi. lib. 4. tit. 59. Et vide Cujacii obs. lib. 10. c. 19. & lib. 16. 23.*

" should any man conspire in any unlawfull Conventions, neither Bargain nor Co- " venant that the *species* of divers Bodies belonging to Trade should not be sold " for less than they agreed of amongst themselves. Moreover he forbad all Ar- " tificers in Building and undertakers, and the Professours of other various works, " and Bath-holders to agree by compact that none should perfect a work which " another had begun, nor meddle with a Business wherein another man was em- " ployed, giving leave to every one to have a work begun by one man, per- " fected by another, without any fear of detriment, and to denounce all such " Acts without any fear or Judiciary charges. Upon him that should dare to " exercise a Monopoly, he imposed confiscation of Estate and perpetual Banish- " ment. And on the *Primates* of the other Professions, if for the future they shall " dare to oblige themselves by any Compacts or Agreements, either for setting the " Rates of Commodities, or any other unlawfull matters, a Fine of forty pounds " of Gold. In the last place upon the Office of the Prefect a Mulct of fifty, " if such punishments, either through bribery, dissimulation or other fault, were " not inflicted on Monopolizers and Politick Bodies committing such forbidden " things.

He restrained the marrying of ones Brother's Wife.

24. By another Edict he thought fit to restrain the Marrying of ones Brother's Wife. " Although, he said, some *Egyptians* therefore thought fit to joyn themselves " in Marriage with the Wives of their deceased Brothers, because after their death " they were thought to remain Virgins, supposing according to the pleasure of some " ancient Law-makers, that Marriage was not contracted without Copulation, and " such Marriages in those times had been valid, yet he Ordain'd by that present " Constitution, that if thenceforth any such Marriages should be contracted, their " contractours, and such as descended from them should be subject to the Tenor of " the Ancient Laws; neither according to the example of the *Egyptians* did they " seem firm, nor to be confirmed. He farther shewed himself so great an Abhorrer of Incestuous Marriages, that by another Edict he commanded all his Subjects to abstain from them. " And whereas in the time of Usurpation, there were certain " Rescripts, Pragmatick Forms or Constitutions which put the name of Matrimony " upon wicked conjunctions, namely, made it lawfull in wicked Consortship, to " embrace the Daughter of a Brother or Sister, or her that lived in the bond of " Wedlock with ones Brother, or to commit such like Acts, he declared them as im- " pious to be of no force, lest such wicked licentiousness should receive strength by " dissimulation. This last of the Edicts beareth indeed in the Inscription the name of *Anastasius* the successour of *Zeno* as its Authour; but *Cujacius* judges the Inscrip- tion faulty; and that the true one was *Idem Augustus Sebastiano P. P.* For to *Se- bastian* (as he hath it, but as it now is to *Severian*) another Constitution is di- rected for rescinding the Acts of the Usurper *Basiliscus*, as this also is designed; which *Sebastian*, as *Suidas* writes, was in manners most like to *Tribonian*, of whom hereafter. But as we have shewn already, this matter of Incest had been variously determin'd of in various Ages, till the time of *Constantius* and *Constans*, by whom it was made death to Marry the daughter either of Brother or Sister. But it seems something of this nature was permitted by *Basiliscus*, during his Usurpation, which *Zeno* after his recovery of his Power again, declared to be null and void. By an Edict directed to *Basilius* the *Præfectus Prætorio*, we think we find him to have formerly published another upon this subject of the marriage of a Brother's or Sister's Daughter. " This most grievous wickedness (*nefandissimum scelus* he terms " it) which formerly under grievous pein had been by most Sacred Constitutions " condemned, he prohibits by his iterated Sanction all manner of Ways. And he " denies leave, for the time to come, to Petition him for such like *Conjugium* or " *Contagium* rather as he words it, letting every one know that the Impetration of " what the Petitioners was denied, though by surreption, after that day shall sig- " nifie nothing at all.

Abhorred Incestuous Marriages.

L. 9. sive ult. e. just. tit.

Obs. lib. 8. c. 28.

L. ult. Si nuptiæ ex rescripto petentur, Cod. Justi. lib. 5. tit. 5. c. 8.

An Enemy to tedious Suits.

25. For ending of Suits, *Zeno* Ordained, " That such as bought of the Treasury " any thing challenged by another Person, or obtained such a thing of the Prince " himself, as *Fiscale* or belonging to the Treasury, should not be disquieted by " the pretended owner or any other laying claim to it; but that for the space of four " years any Action should be against the Treasury it self; the prescription of which " years should bar any such Suit or claim. Farther if the *Scrinium* (or *Procu- " rator Fisci* as some expound it) confess by Writings that the price is received, " the Buyer shall be secured for ever. That every Person might attend his own " business and to obviate the rapacity of Officers, he forbad the Governours of Pro- " vinces, as also the *Judices spectabiles* (though adorn'd with the illustrious dig- " nity) *L. 2. de Quadrienni præscriptione, Cod. Justi. lib. 7. tit. 37. Æneæ comiti rerum privatarum.*

Lau. de ratiociniis operum publicorum & de patribus civitatum, Cod. Justi. lib. 8. tit. 13. Arcadio P. P.

" nity) to meddle with publick Works or Buildings, or as it seems the custome " has been to receive one *siliqua* for every *solidus* to be laid out, or any other emolu- " ment: but to leave those things to the care and management of the *Recensores*, " or as he terms them, the *Fathers of the Cities*, who were deputed to such Em- " ployments. But if any promise or engage by covenant to raise any publick " Work out of their mere liberality, though they be bound by such promise or " engagement, they shall incur no damage, nor their Heirs, if the whole sum be " not contributed, or the Work happen to be unprofitable.

A friend to the *Curis*.

26. He was so carefull of the Courts of Cities and Bodies Politick, as in some respect to be more strict than had been his Predecessours against pretences of free- dom from their service. " For he would have none who from the beginning of " his Reign were obnoxious to the said Courts, though *Comites Rei privatæ* to hu- " mour his Father-in-law, or *Comites Largitionum*, or *Domesticorum*, *Questors*, or " *Magistri Officiorum*, though promoted already to execute such Offices, or who " should be promoted, for or in behalf of such Offices, to escape the snares of " those *Curial* Employments as he terms them; but should be bounden to them " with their children whensoever born, and their Estates after the laying down of " their said Offices, except they were secur'd by other Privileges upon this account " by known Laws. For all other lawfull Indulgences and Privileges granted by " Constitutions, he would have remain inviolable. And that persons so indulged " might not seem to enjoy an empty name, if they executed the *Curial* Offices by " their Substitutes at their own charge, they should have the Privileges of their " Dignity entire and without abatement. As for such as obtained the aforesaid " Dignities before the beginning of his Reign; he Decreed that they with their " Estates and their Children should after such dignity be freed from all obligations " and burthens of the *Curiæ*. And for those who at any time had been or should " be made *Patritians*, *Consuls*, *Consulares*, *Magistri Militum*, *Præfecti Prætorio* " of the *East*, of *Illyricum*, or *Præfect of Constantinople*, so as to execute the places " themselves, should to all purposes with their Estates and Sons born after their " Dignity be free from such obligations. But *Zeno* was farther so carefull about these Courts and Corporations, to have their services perform'd, as we see it was the great endeavour of his Predecessours, for such reasons as we have heretofore expressed, " That he made it unlawfull for the *Decuriones* to sell their hereditary " Estates without a Decree of the Court, and this Decree should not be taken for " valid, if onely signified in a Brief or piece of Paper, but it must be made *Vivâ* " *voce* by the *major* part, upon which a sentence of a competent Judge must be had " for confirmation of the purchase. Now this Law speaking onely of Sale and not " of Donation, is called *Mirabilis* or Wonderfull by *Justinian*, as if there were not " reason to take care as well of the one as of the other. But this may be said, that " we more easily sell than give, and therefore there was no such occasion; but " however he thought fit by a Constitution to ordain that no Donation, nor any " Alienation should be good without a Decree of the Court; nay, afterward that a " Donation even with a Decree (for other reasons of that time then moving him) " should not be valid.

L. 64. de Decurionib. C. Just. lib. 10. tit. 31. Sebastiano P. P.

L. ult. de prædiis Decurionum sine Decreto non alienandis, Cod. Just. lib. 10. tit. 35. Sebastiani P. P.

27. The City of *Constantinople* was again grown so vast and populous, that fresh water was become a very pretious commodity with them, and this put *Zeno* upon making three several Constitutions for security of the publick Fountains and Aqueducts. " By one he signified to *Amantius*, *Præfect* of the City, that if he " or any of his Successours should alienate the Gold deputed to the repair of Aque- " ducts to other uses, he should restore it out of his own purse. And that there " should be a peculiar *Arcarius* or Treasurer for keeping what Gold belonged to " this service either proceeding from the liberality of the *Consuls* or other ways. " By another he declared that a Fountain which either from the beginning was " publick, or afterwards made so, should not be applied to the use of private men " though a Rescript were obtained for that purpose. By a third he forbad the pur- " loyning of publick water by private Pipes, the planting of Trees by the Aque- " ducts whereby their Walls were ruined, and deriving the Water to Houses of " Pleasure, Gardens, Watermills, or Baths under such pein of forfeiting the building, " as should not be remitted by the Prince his Letters. And he would have the " *Aquarii*, or Keepers of those Waters and Aqueducts, to be marked in the Hand as " were the *Tirones* and *Fabricenses*, with the Emperour's Name, that being known " they might not be forced by the *Procurators* of the Palaces or others to any other " Employment. And if any of them died, he who succeeded, should for the same " reason, be marked in the same manner.

He was carefull for furnishing the City of *Constantinople* with water.

L. l. 8, 9, 10. de Aquæductu, Cod. Just. lib. 11. tit. 42.

Of

28. Of Dignities he chiefly concerned himself for that of *Patritian*, that it might not become too cheap or common. " He forbad that any should rise to that " sublime honour (which, saith he, is set before all the rest) except he had be- " fore enjoyed the honour of the Consulship, had been *Præfectus Prætorio* of the " East or of *Illyricum*, or was known actually to have exercised the Prefectship " of the City, the Office of *Magister Militum* or *Magister Officiorum*. And because, " as he saith, he thought it his part to procure the good of the most glorious City, " which was Head of the World, all ways possible, he Ordain'd that all who " afterward should by the Emperour's munificence be adorned with the Ensigns " of the Honorary Consulship, should pay the sum of an hundred pounds of Gold " towards the repairing of the Aqueducts, in like manner as they who during the " space of a year gloried in the setting forth of Consular works. For them it also " behoved, that the most flourishing City being sustained by the munificence of an " hundred pounds of Gold, should also be sensible of the honorary Consulship. But " for the encouragement of *Consulares* or Honorary Consuls he declared by another " Edict directed to *Sebastian*, that those most excellent Men, as he terms them, " either then made or to be made, might proceed and in reality be Consuls for a " year, the Prince his judgment or award therein being procured; so as having " finished the Procession so obtained, they should not seem to have got some new " thing they had not before; but onely to have iterated the right of Consulship " which once the Consular procession had derived upon them, and in adoring the " Purple, and farther obtaining all the Honours of Consuls and their Privileges they " should have them commence from the former time of promotion. Moreover " such Consul should not be compelled to pay the hundred pounds of Gold for " the Aqueducts of that famous City, enjoyned by a Sacred Constitution, which " being but *Consularis* he had formerly paid.

To keep up the honour of Patritians.

L. 3. de Consulibus, &c. Cod. Just. lib. 12. tit. 3.

L. 4. eisd. tit.

29. Thus we see how carefull *Zeno* was for preserving the Grandeur of Digni- ties, especially that of the *Patritian*, and yet *Justinian* thought this was not enough; but out of his rather superabundant care, as he himself confesseth, ad- ded unto it. " He Ordained that those high Persons should upon receipt of the " Emperour's Codicils immediately become *Patres familias* or Heads of Families, and " be freed from that Paternal power which the *Roman* Laws gave to Fathers over " their Sons not Emancipated, lest they who were honoured as Fathers by the " Prince, should be subject unto others, it being a thing not sufferable, he judged, " that a Father should be in capacity by Emancipation to release a Son from such " obligations, and that his Imperial Highness should not be able to free him whom " he had chosen for his Father, from the power of another person. But so he will " have it, that the Imperial Majesty be not diminished. It being sufficiently certain, " that such a thing rarely happened; for no man, saith he, can easily remember a Son " of a Family to have been promoted to the honour of Patritian, as is usual in the " Consulship; but lest such a thing in time should happen, and be found without di- " rection of Laws, he thought fit to Ordain. Taking such scope to provide for things which not onely did usually happen but might possibly do so, he might well be so numerous in his Laws, as we shall find he was upon his new model. But this reason of the Rarity of the thing ceased to be a reason with him afterward, when he " also communicated the same privilege of being freed from the Paternal Power " upon other persons; upon better thoughts, as he saith, even upon Consuls really " such, and by Codicils; the *Præfecti Prætorio*, the Prefects of both *Romes*, and the " *Magistri Militum*. He esteem'd it a thing, he saith, unbecoming both his Laws " and times, that persons who were Judges, over so Great men, and commanded " others to continue under the Paternal Power should themselves be subject to it. " He would have this taken for a general Rule, that every Dignity and every " Girdle which freed persons from Services of Corporations, should also free them " from the power of their Fathers, to whom this should be so great an honour that " they had such sons, that they should with joy give them their *Peculia* and other " Rights which were wont to follow Emancipation, the Privileges of which were " not to succeed these thus conferred by Imperial Authority. In the last place he will " have this Privilege of freedom from Paternal Power to extend to Spiritual Fa- " thers or Bishops, who also from their Ordination were freed from that of the " *Curiæ*.

Which yet *Justinian* thought not enough.

L. 5. de ult. ejusd. tit.

He freed as well others as them from Paternal power.

Novel. 81.

30. By other Laws made in behalf of the *Primicerii* of the Notaries, and the ten Tribunes after them, the *Silentiarii*, the *Principes* of the *Agentes in Rebus*, and the *Scholæ*; *Zeno* much obliged these sorts of his Courtiers, moderating Fees to be received of them in Courts of Justice, and gratifying them otherwise in particu-

Zeno was kind to his Courtiers.

Vide Titulos 7. 16, 22, 30, 41. lib. 12. Cod. Just.

lar's

lars which are too tedious here to be related. He was so carefull of his Army that it might be furnished with fit Souldiers that should be at his devotion, "That "he forbad that any Horseman or Footman in any *Numerus*, or in any Limit should "for the future be received or listed without the Warrant (*Probatoria*) of the Em- "perour, antiquating the custome which had formerly obtained, which gave to "the *Magistri Militum*, or *Duces* the power of granting such Licences. If the most E- "minent *Magistri Militum* for the time being, or the *Spectabiles*, the *Duces* thought it "necessary to fill the places of the Dead, after the debating of the matter they should "signifie to the Prince, who and how many were to be added, and in what *Nume-* "*rus* or Limit, that so they might become Souldiers by his Majesty's order and Au- "thority." And he inflicts a mulct of an hundred pounds of Gold upon the Office "of the *Magister Militum* to whom he directs his Constitution, if it was violated "in any part. Some other Laws we find made by *Zeno*, but they are either of such matters as relate so nearly to the *Jus Primatum* that they are not so proper here to be mentioned, or else made in favour of the Officers of the *Scrinii*, of which we have said so much already to give the Reader an insight into those matters that no more is now to be added. It's time to take our farewell of *Zeno*, with this far- ther note, that he Reigned seventeen years and five months.

L. ult. de re mi- litari, Cod. Just. lib. 12. tit. 36.

31. *Zeno* being removed, *Longinus* his Brother having been by him advanced to great Authority, purposed to set up for himself, and little doubted to obtain the Empire. But *Ariadne* the Empress had another man in store, one whom with more love and less noise she could take to her Bed, and make her Partner in the Throne; for she was resolved to play at no smaller a game, *Zeno* having not left her any Children. This was one *Anastasius* probably a very comely man, as having little else to recommend him to the favour of the Lady, and by her to the greatest of Earthly Dignities. For he had never reached so much as the degree of Senator, onely was enrolled in the *Schola* of the *Silentiarii*, such a company as had little of business and publick employment as we have heretofore seen. He was born as *Euagrius* writes, at *Epidamnus*, afterward called *Dyrrachium* and enjoyed the Im- perial Sceptre with the Wife of *Zeno*, in the year CCCCXCI, and the Consulship of *Olybrius*.

Euagrius lib. 3. c. 28, 29.

Anastasius succeeds him.

A.D. 491. *Olybrio Cons.*

32. The first thing he did was to send down into *Isauria*, *Longinus* of whom we now spoke, under what Guard, or upon what security for his peaceable demeanour we know not, but *Euagrius*, who tells this story, adds, that to several others of that Countrey who desired it, he gave leave also to depart thither. As he had made a shew of great Piety while a private man, he did not at first throw off that vizard. He was a great maintainer of Peace and Quietness, not permitting any great alte- ration either in Church or State, which Principle (if that according to *Euagrius*, was the Principle of his Actions) might make him hold the Maintainers and Oppug- ners of the *Chalcedonian* Council in equal esteem and balance. The same principle put him at his first coming to the Empire upon such courses as might tend to his own ease and establishment, however he otherwise appeared when he thought him- self fast upon his Seat. He banished Informers out of the City, and did another thing, which *Euagrius* terms a wonderfull or Divine Act, and the History of which he cannot but deliver to posterity, though to speak thereof according to the Dignity of the Subject, he stood in need of the Tongue of *Thucydides* or some more eloquent and copious Orator.

Who making great shews of goodness,

Banisheth Infor- mers.

33. There was a wicked Tribute (he calls it) odious to God and Man, highly unpleasing even to the Barbarous Nations and abominable to all professing Christi- anity, which yet was exacted of all the Subjects of the *Roman* Empire, but not regarded (as such) till this time of *Anastasius*, who acted by Royal and munifi- cent Principles took it away, not without the applause of all people under Heaven. This Tribute, called *Chrysargyrum*, was imposed on Whores and Bawdy-houses especially, upon Beggars, Slaves, and Freed-men, Divorced-women, upon all sorts of Men of what condition soever, for their Horses, Mules, Asses, Oxen, Dogs, and such like Creatures, nay, Dung it self, and that with all rigour imaginable. Every fourth year it was paid in to the chief Magistrate by the under Collectors, and by them unto the Prince his Coffers; those that were employed in it, being none of the meanest, nor the Office it self esteemed base and contemptible in the Commonwealth.

Idem ibid. c. 39.

Vid. Sylvester Lipsii de magnitudine Romana, lib. 2. c. 6.

34. *Anastasius* weighing with himself the whole matter, acquainted the Senate with his sentiments, told the Fathers what an heinous and horrible thing it was, commanded it should be quite abolished, and burnt the Rolls and Records made for Levying of it. Having done this, he counterfeited great trouble and anxiety of mind,

Taketh away the *Chrysarg- yrum*.

mind, accused himself of folly and madness, of vain glory and inconsiderateness, in that he had taken away so great a Tribute, and of so long continuance, not fore- seeing the inconveniency which would follow thereupon, particularly in the pay of Military men who are the Bulwark of the Commonwealth, and in the sustenance of those who were by it maintained in the service of God, no less conducing by their Prayers to the security of the Empire. Making no man acquainted with the depth of his design, he declared his will to be that the Tribute should wholly be restored, and calling to his presence the old Receivers, told them he was heartily grieved that he had burnt the Records; that he knew not what to doe, nor how to excuse his folly, they being consumed. They bewailed their loss, and deplo- red the condition into which they were irreparably faln, not knowing what over- ture to make for the restitution of their late employment. He, in extremity as it were of passion, begged of them that they would use yet their utmost endeavour, and try whether they could not find some Papers which might give them some light to settle the Tax in such a method as it had formerly been raised. He commanded all the Records in the Countrey to be searched, and every Scroll wherein mention was made of this Tribute to be brought to him, that he might use the most effectu- al means for its restitution.

35. He seemed exceedingly to rejoyce at the sight of such as they presented to him; demanded where they found them, if they were to any purpose, and if they thought there were yet any more left undiscovered. They answered that their labour and travel had been great, that they had rode about night and day, had searched Town and Countrey, and they swore by the Emperour's life, that in all his Dominions there was not one Scroll more than what they produced. Then commanded he a Pile to be made, and all the Papers, Registers, Records, Bills, and Bawdy notes to be put thereon and burnt to ashes. When the fire had done its part, he commanded water to be cast upon the Cinders, either quite to oblite- rate them, or to carry them away with the stream, hereby intending so far to abolish the monuments of this filthy Tribute, that neither spark, ashes, letter, nor any thing relating to it might remain to posterity. To this purpose *Euagrius* words it in commendation of *Anastasius*, and in the two following Chapters inveighs against *Zosimus* for malitiously writing that *Constantine* the Great first invented the *Chrysargyrum*, and for otherwise slandering that Emperour. How far *Zosimus* is to be credited, we have seen already in the particulars enumerated and aggravated by him.

He confers Offi- ces of Magi- stracy *gratis*.

36. Others relate that *Anastasius* at his first coming to the Government farther ob- liged the State by conferring those Offices of Magistracy *gratis* which had been wont to be sold by his Predecessour. That by other Acts of generosity he so far wrought up- on the hearts of his people, that sober and understanding persons conceived great hope of an excellent Prince and a flourishing Commonwealth. But if *Suidas* be to be credited, those goodly appearances vanished to nothing as soon as once he thought he had settled himself; His generous humour degenerated into Covetousness, and his good Government into a sort of Oligarchy, by his setting all Offices to Sale, winking at heinous crimes for reward, spoiling the Provinces and exhausting the wealth of his private Subjects. *Euagrius* also, whom we lately heard playing the Orator in his commendation, represents himself as proceeding too far in a Panegyrick, telling us that as the Acts formerly mentioned were noble, worthy of *Anastasius* and the Majesty of an Emperour, so immediately after he did such things as blurred the lustre and stained the glory of the former. For, he devised another sort of Tribute called *Chrysotelia*, and, to the great damage of the Empire, made Mer- chandize of the Souldiers wages together with other exactions. For he took from the Courts the usual exaction of Tributes, and in every City made those that were called *Vindices*, at the instigation, it was said, of *Marinus Syrus* his chief Minister in the Palace. Whence it came to pass that a great part of the publick Revenue was lost, and the reputation of Cities vanished. For before that time the Names of Nobles were entred in the Register of all Cities, which esteemed those that were made free of their Courts, and honoured them as a Senate. From a sense of this alteration in him, or upon other occasions, it came to pass, that even in the first year of his Reign a Sedition is said to have happened amongst the *Plebeians* at *Con- stantinople*, wherein the greatest part of the City and Cirque was burned, at which time it's also thought, that the most sumptuous Hospital of St. *Sampson* perished, as also that incomparable Church of St. *Sophia*, rebuilt afterwards in a more magnifi- cent manner by *Justinian*.

Ibid. c. 42.

Soon changing for the worse, Invents the *Chrysotelia*.

A Sedition and Fire at *Constan- tinople*.

Vide Baron. ad h. An.

37. Now

37. Now after we have heard Historians, and those little diligent, especially in Civil matters, it would be well if by any Edict or Constitution found in our Law Books, we could give testimony to what they write about his taking away the *Chrysargyrum*. One other Constitution indeed he made in his very first year, and relating to the Revenue, indulgent also to the subject, but nothing of that nature: "For in the first he Ordains that in all Dioceses and Provinces whosoever hath possessed the Patrimonial lands of the Prince, those anciently belonging to Temples "or those called *Agonothetæi* or deputed to sports and pastimes of the Empe- "rour by combate, for the space of forty years, shall retain them, whether he "held them by a just or unjust title, or with paying the Canon, or without paying "it, for the said space of forty years, in the same way as before he held them. Nay we find by another Edict dated in this Consulship of *Olybrius*, "That all "Actions, though they concerned the Publick, which were not limited by "the term of thirty years, or under, should be excluded and extinguished by a "prescription of forty; a Constitution memorable in this respect of forty years, "which therefore, he saith, he published, that he might cut off all opportunities of "doing mischief. This his Edict was large, and in such general expressions, that this Prescription of forty years was pleaded by certain persons who by their originals were bound to the service of the *Curiæ*, and by such as were indebted in publick payments, whom by two other Edicts he undeceived and confirmed their former obligations. We have nothing else of this year agreeable or contradictory to the story of *Euagrius* concerning the *Chrysargyrum*, which *Cedrenus* relates him to have taken away at the Importunity of the Monks of *Jerusalem*, and upon occasion of *Timotheus Gazæus* a most wise man, his writing a Tragedy upon this subject.

Good Laws he made in his first year, but none extant concerning the *Chrysargyrum*.

L. ult. de fundis Patrimonialibus, Cod. Just. lib. 11. tit. 61.

38. The year following, or the CCCCXCII. of our Lord is famous for little, except it be for the first Consulship of this Emperour, which he bore together with *Ruffinus*. It's little more memorable for having one Constitution bearing date the first of *March*, whereby *Anastasius* forbad under severe penalties, "That any should "usurp the Offices and Conditions of the Denote men (as he terms them) serving "(*Militantes*) in the Sacred *Scrinium Memoriæ*. But it also is said to have given original to the *Isaurian* War which continued five or six years, as several relate, and as *Euagrius* writes was raised by *Longinus* the Brother of *Zeno*. This man, though he had been Competitour for the Sovereignty, he sent as was said into his own Countrey, and with so little Guard and Watch upon him, it seems, that he had opportunity to raise men and make great preparations, and the Bishop of *Apamea* in *Syria* joyned with him. But in the contest *Anastasius* had the better, and an end was put to the War, partly because the *Isaurians*, who joyned with *Longinus*, were utterly defeated, and partly, *Euagrius* says, because the Heads of *Longinus* and *Theodorus* were by *John* a *Scythian* sent to *Constantinople*, which Heads the Emperour caused to be set upon Poles over against the City in a place called *Sycæ* beyond the water, which was, he adds, a gratefull sight to the Citizens who had been formerly much plagued by *Zeno* and the *Isaurians*. Another *Longinus* firnamed *Selinantius* (whom others make the same with *Zeno*'s brother, one of the Principal Conspiratours) and another called *Judas* were sent alive, and with chains about their necks were led in triumph through the Streets and the Circue, to the great rejoycing both of the Emperour and Citizens. By this means the Tributes called *Isaurian*, which had been paid yearly to the Barbarians, amounting to five thousand Pounds, were brought into the Emperour's Coffers.

A. D. 492. *Anastasio & Ruffino Coss.*

L. ult. de officiis Quæstoris, Cod. Just. lib. 1. tit. 30.

The *Isaurian* War.

Lib. 3. c. 34.

Euagrius his story of it.

39. Such is the Relation *Euagrius* gives us of these matters, wherein are some particulars which badly agree with the reflexions made on them by later Writers. For whereas he saith that the Heads of *Longinus* and *Theodorus* when set upon Poles were a delightfull spectacle to the Citizens of *Constantinople*; *Suidas* on the contrary writes, that the said *Longinus* the brother of *Zeno* for his profuseness was exceedingly beloved by the multitude; and the Civil War or Tumult which *Marcellinus* hints to have happened at *Constantinople* against this Emperour in the third year of his Reign, and the Consulship of *Albinus* and *Eusebius* (though *Albinus* be named alone for this year by *Cassiodorus*) is therefore judged by * *Baronius* to have proceeded from this very cause, the Rabble being inraged that it's good Master and Patron was put by the Succession, which as well the Multitude as he himself, desired impatiently. But it seems the Multitude being without an Head, the Tumult came to nothing, though it slew to so sawcy height, that the Statues of Emperour and Empress were by Ropes tied to them dragged about the Streets. This Tumult probably happened at the *Circensian* Games: Yet it's said farther by *Marcellinus* that *Julianus* a *Magister Militiæ* fighting by night, was killed by the *Geticks* sword in *Thrace*.

Not agreeable to later Writers.

A. D. 493. *Albino Cos.*

* *Quem vide ad h. Ann.*

40. Passing

40. Passing to the year CCCCXCIIII and the fourth of *Anastasius*, we find two Constitutions made by him, and little or nothing else of moment. Neither is the one of those of such concern here as we think it proper to mention it. By the other he obviates an abuse committed in those times against a wholesome and necessary law and custome. This was in time of want and necessity to impose the finding of Wheat, Oil, and other *Species* upon particular Provinces, as we have seen heretofore, which sort of Charity and Neighbourly course for one Member of the Empire to relieve another, some persons were so far industrious to evade, as to procure a Brief under the Emperour's hand, a *Pragmatick Sanction* or a *Judicial Decree* to that purpose. "This he so far disapproved as to declare all such Licence should be void for "the time to come; and farther declared, that from such furnishing of necessaries, "according to their proportion, none should pretend exemption, no not his own "House, or that of his most Serene Wife or Empress. The succeeding year is remarkable for nothing; not for the Consulship of one *Viator*, though some joyn to him *Æmilianus* as a Collegue. That following, or the CCCCXCVI of our Lord, had one *Paulus* for Consul without a Collegue, and several Constitutions of *Anastasius* we find bearing date of it. We have formerly told the Reader how great Privileges, as to making Testaments, Souldiers enjoyed, so as no Solemnities were required of them therein, when in expedition. "Now there were some who attended on the *Magistri Militum* called *Scriniarii*, and *Apparitores* who executed "their orders, and their names were also entred into the *Matriculæ* or Muster- "Rolls, being much of the nature with those they now call Secretaries to Gene- "rals, or great Commanders; and those men as Souldiers pretended to the same "Privileges as to making Wills. But such persons seeming, but not being Souldiers "in reality, he declares that by no means they shall enjoy that Military Right by "an Edict dated on the Ides of *February*.

A charitable Constitution.

L. 2. de bonorum possessione &c. Cod. Just. lib. 6. tit. 13.

L. 1. ut nemini liceat, &c. Cod. Just. lib. 10. tit. 27.

A. D. 496. *Paulo Cons.*

L. 16. de Testamento Militis, Cod. Just. lib. 6. tit. 21.

The Military privilege as to making Testamens explained.

41. By another bearing date of the last of *April*, he partly confirms and partly repeals a former made by *Leo* concerning the Insinuation or Registring of Donations. "So far he confirms it as to Decree that they shall be insinuated by the *Ma-* "*gister Census*, but whereas *Leo* permitted out of *Constantinople* in the Countrey "Insinuations also to be made by other Officers, he will have it as well in Countrey "as in City by a *Magister Census* alone, under pein of twenty pounds of Gold, to "be forfeited as well by them that receive, desire and procure such prescribed In- "sinuations, as also the *Tabelliones* shall give their testimony in no incompetent "place and Judicatory. On the first day of the same Month, we meet with another Rescript directed to *Anthemius* the *Præfectus Prætorio*, as the other is to "*Euphemius*, which we should have mentioned in the first place. By this he took care for his Revenue that it should not be diminished by Relevations or Relaxations of Impositions upon Cattel, too usually granted it seems at this time. If a "Province or City petitioned for any such Relevation, or for an *Inspector* or *Peræ-* "*quator*, it should be by Petition referred to the Prince himself, and upon Oath "first made; and the *Præfectus Prætorio* should give no answer, but after fully having "instructed the Emperour, and by receiving a form from him, which was to be "observed in all particulars. But he would not permit a private person to Petition "for this Relevation of the Capitation of Animals; a Corporation or Province "might. Other matters transacted in reference to the Tributes he would not have "valid without licence of the Prince himself had in Writing, under pein of ma- "king good to the Treasury all wherein it was damnified, and inflicting the fine of "fifty pounds of Gold upon the breakers of the Law. And he ordains that all Fiscale "Dues shall be paid in at thrice, as also those called *Armeniaca*, *viz.* on the first of "*January*, the first of *May*, and at the end of the Indiction (which began in *Sep-* "*tember*) divided into three equal parts, without any innovation to be made by "Collatours in the mean time. But because the Prestation of the *Armenian* Tributes "was divided into two Pensions, they might, if they pleased, observe that Custome so as to pay them in in two Pensions, and another half in the *September* of "the next Indiction. But if they would pay in at three payments they should be "respited the whole *September* of the future Indiction. But that called the *Before-* "*sent*, should as it ought be paid in at the beginning of every Indiction, even as the "very name imported. As by this Law he took care for his own Revenue, so "by another in *July* following, that the Subject should not be harassed by *Com-* "*pulsors* as to the payment of it; but *Compulsors* he did allow after a time, which "Officers were afterwards taken quite away.

The way of registring Deeds of Gift.

Per virum Clarissimum. Magistrum census tantummodo.

Anastasius takes care of his Revenue.

L. ult. de Annonis & Tributis, Cod. Just. lib. 10. tit. 16.

Lult. de exactoribus Tributorum, Cod. Just. lib. 10. tit. 19.

42. The CCCCXCVII year of our Lord had for Consul *Anastasius* the second time, and him alone. And we find him to have had so little of other Civil Employ-

A. D. 497. *Anastasio A. 2. Cons.*

He ordains divers things in behalf of Advocates.

ment though with Ecclesiastical he busied himself too much; that he had leisure to give attention to the suggestions of his *Comes rei privatæ*, and the Proconsul of *Asia*. "To these Persons had been presented Petitions by the Advocates of their "Courts, desiring that through the liberality of the Prince they might after the "time of their Advocation was expired, be honoured with some Dignity. This he "granted, permitting that after their time was out, they should be esteemed and "held in the rank of *Clarissimi*, and that of the first Rank or Order of *Comes*. This Privilege he granted to those Advocates at the end of this year, and being so kind to this Profession that by several other Constitutions he enlarged the Privileges also of those that belonged to other Courts, we shall here take notice of them together as they occur in the same title of the *Code*. Four years after he declared, "That such Advocates as belonging to the Court of the *Præfectus Præ-* "*torio* of *Illyricum* were promoted *pro tempore* to the degree and office of Advocate "of the Treasury, should together with their Sons born and to be born, be loosed "from all bonds and ties of a *Cohortalis* or any worse condition, together with their "Patrimonies, in like manner as were free the Advocates of the *Præfectus Prætorio* "of the East, and of the Prefect of the City. And he gives this reason to *Thomas* "the *Præfectus Prætorio* of *Illyricum*, to whom the Constitution is directed, that "these three Prefectships were *Germanæ Potestates*.

L. 1. de Advocatis diversorum Judicum, Cod. Just. lib. 2. tit. 8. Dat. 11. Cal. Jan.

L. 2. ejusd. tit. dat. 12. Cal. Decemb. Patritio & Hypatio Coss.

43. Four years after this he declared by another Edict, "That the Primate of the "Advocates belonging to the Court of the *Comes* of the East, should for two years "execute the office of *Patronus Fisci*, or Advocate of the Treasury, and have the "Emoluments. That the number of Advocates in that Court should be reduced "to forty, so as those that were at present Supernumeraries, should not be rejected. "That those who had discharged the Office of *Patronus Fisci* should not be prohibited to plead for themselves and near Relations, though it was against the Treasury it self. That their houses should not be subject to the *Metatus* or Quartering. That the *Sportulæ* paid for them, for their *Coloni* and Slaves should not be "excessive, but according to a Table presented to the Emperour. That none "should be added to their number till he had completed the time of Study prescribed "by the Laws. That the sons of Advocates and of such as had executed the Office "at the Treasury, whether alive or dead, should be preferred before Strangers "coming to be admitted, provided they had finished their time of Studies, and "that without any expence or Fees. That the Profits due should be acquired not "onely by such as had been Advocates of the Treasury, but if dead by their "Heirs; that such Advocates should not be compelled to employments, molested "with the burthen of exhibition without the Authority of the Prince specially intervening, and being sued should be cited by decree of the *Comes* of the "East, if in his Province, before whom the cause should be heard as the competent "Judge.

L. 3. ejusd. tit. Dat. Cal. Jul. Sabiniano & Theodoro Coss. A. D. 505.

44. He was so great a favourer of these *Patroni Fisci*, or Advocates of his Treasury, that he was still adding new honours to them. For, the following year, being farther apprehensive of their merits, as sensible how both laudable and necessary the Office of an Advocate was, he Ordained, "That when in actual service they "should be admitted, on the first of *January* of the year they served, to receive "gifts among the *Comites Spectabiles* of his Consistory. That after their laying "down, if they had Legitimate Sons, they should be admitted amongst the *Cla-* "*rissimi*, the Notaries, and receive the Letters, without Fees for moving it. That "they should confess a Debt without any *Arbiter* before one or two of the present "Advocates of the Treasury with the usual solemnity of Registring. So if they "had a mind to declare any thing concerning their children, though no Instruments "of Dowry had been drawn upon intention of Marriage. That before them "Slaves might be manumitted as before the Glorious Consuls. And besides, he "confirmed all other Privileges granted them by other Laws. These four Constitutions were directed to *Eusebius* the *Magister Officiorum*, to *Thomas* the *Præfectus Prætorio* of *Illyricum*, and to *Constantine* and *Eustachius* with the additions also of *P. P.* But of what Districts these two last were Prefects is not expressed; it seems the Advocates belonging to the Court of the President of the second *Syria* were not concerned in the former Edicts; for two years after we find them to have petitioned the Emperour that they might also be considered in the like sort. "And "to them he granted the Privileges expressed in the third Constitution, reducing "their number to that of thirty, so as the present Supernumeraries should also be "considered. This is directed to one *Sergius* with the addition too of *P. P.* being, it's to be supposed, Prefect of the East, wherein was this Province of Second *Syria*.

L. 4. ejusd. tit. Dat. 12. Cal. Dec. Arivinio & Messala Coss. A. D. 506.

L. 5. ejusd. tit. Dat. Cal. Dec. Anatolio & Agapito Coss. A. D. 508.

And

And thus we thought fit to give the Reader a view of all the five together, because of the same subject, observing out of the third, that whereas the Primate of the Advocates is named, as also in the last; there was a distinction of Advocates, the Primate being distinguished from the rest. Whereas also in the third Edict mention is made of the time appointed for Advocates to study the Law, it was at first four years, before which expired none were admitted to plead, and afterwards *Justinian* thought fit to enlarge the term to that of five.

Vide Antecessores in l. 1.

45. The Year of our Lord CCCCXCVIII would be as barren of Intelligence as any other, if it were not for a Constitution directed to one *Polycarp* a *Præfectus Prætorio* on the first of *April* in the Consulship of *John* (a *Scythian* he is elsewhere called) and *Paulinus*. This Emperour *Anastasius* had by a certain Law formerly given right of Succession, in case of the death of a Brother or Sister Germans, to one who had been Emancipated, (by which Emancipation or discharge from the Paternal Power, a man was understood to be discharged as it were of the Family) so as he should succeed such Relations dying Intestate before all other Kindred. Now it was convenient and just that he who had the profit should also have the burthen, and therefore the Emperour now declared, "That such an Emancipated Brother should "be called to be a lawfull Tutour or Guardian to Brothers and Sisters in their minority, without any excuse of such discharge from the Paternal Power, to be admitted. The ensuing year, or the CCCCXCIX. had for Consul one *John* surnamed *Gibbus*, with whom some joyn *Asclepius*, but without any good Authority. *Anastasius* having little of Civil business to attend, was wholly intent upon Church Affairs, and so bent to encourage Hereticks, that as *Baronius* observes from the *Chronicon* of *Marcellinus*, he was this year chastized for so doing by the *Bulgarians*, who invaded and wasted *Thrace*. Against them marched one *Aristus*, who commanded the Emperour's Forces in *Illyricum*, with fifteen thousand armed Men, and five hundred and twenty Waggons laden with Instruments necessary for Battel. A fight was fought near the River *Zarta*, where about four thousand of the *Romans* were cut off either in their flight or in falling from the Precipice of a Bank that had no Water running by it. And here the flower of *Illyricum* fell, *Nicostratus*, *Innocentius*, *Tancus* and *Aquilinus*, all *Comites*, being slain. To this loss was added another, caused by a great Earthquake, wherewith the Countrey of *Pontus* was shaken. But *Anastasius* bought off and restrained the incursions of the *Bulgars* with a great sum of Gold.

Emancipated Brothers called to tuition.

L. 4. de legitimis tutelis, Cod. Just. lib. 5. tit. 30. Dat. Cal. April. A. D. 499. Johanne Gibbo Conf.

The *Romans* worsted by the *Bulgarians*.

46. We are now arrived at the year D. which is noted with the joynt Consulship of *Patritius* and *Hypatius*, in which meeting with nothing else of Civil concernment, we search for Laws, and find two in the late Edition of *Justinian's* Code marked with this year, but dated in the Consulship of *John* and *Asclepius*. The day of the date of both is the very first of the year, and that might give occasion to the mistake of placing them amiss. They made up one Constitution, being directed on one and the same day to one and the same person, *viz. Antiochus* the *Præpositus sacri Cubiculi*, and are both concerning the *Silentiarii*, their Privileges and Emoluments. By them he declares, "That those *Silentiarii* of his Palace "who served (the word is *Militantes*) at his side (*circa latus*) shall be excused "from Tuitions and Curations: That what they get by this service or *Militia* "shall be enjoyed by them as a *Castrense Peculium*, so as their Fathers, if alive, "and their Heirs shall have no right unto it. That if they sell their places they "shall enjoy all relating to the sale in the same manner. That their Sons, if they "come to be adorned with the Dignity of *Comes Spectabilis* or *Tribune* shall not if "unwilling be compelled to be *Prætors*. And these Privileges he added, should be "enjoyed not onely by those in present service, but by such as should succeed them, "and not onely during the time of their service, but after they had laid down "their places. As for the excusing them from Guardianships, he hints that they "cannot attend the Affairs of other men, because through the attendance they "give to him, they could not diligently manage the concerns of their own Families. But it's observable that he gives them but the title of *Clarissimi*, though elsewhere they have that of *Spectabiles*, but this variety was incident to many Officers, their Dignity being enlarged or diminished according to the pleasure of the present Emperours, the Fountains of their Honour.

A. D. 500. Patritio & Hypatio Coss.

Anastasius favourable to the *Silentiarii*.

L. ult. de excusationibus tutorum, Cod. Just. lib. 5. tit. 61. & l. ult. de Silentiariis, Cod. Just. lib. 12. tit. 16.

47. For the year DI. *Anicius* and *Pompeius* were Consuls; *Anicius* was surnamed *Faustus*, had been ordinary Consul above ten years since, and was descended from the most noble Family of the *Scipio's*, which *Baronius* observeth to make him some return for his Orthodox and Pious demeanour toward *Symmachus* the *Roman* Bishop. And on the other side he observeth concerning *Anastasius* the Emperour, that being of the contrary disposition, the people reviled him openly as an Heretick; and that he to

A. D. 501. Anicio & Pompeio Coss.

punish them as well for so doing, as to be revenged on them for favouring the Cause of *Longinus* and the *Isaurians*, this year took that opportunity which while he was alive he dared not to doe, and caused them to be fall'n upon, while they beheld the *Spectacula* in the Theatre unarmed, with such Violence and Execution, that above three thousand were slain, besides such as got away wounded to their Houses. One Constitution besides what we have already mentioned we find of this year (if not rather of the foregoing,) but merely belonging to the *Jus privatum*, and not by us here to be mentioned. For that which followed, *Anienus* the younger, Son to him of the former year, was Consul together with *Probus*. This afforded matter which *Baronius* had also reason to mention as a punishment of *Anastasius*. For now the *Bulgari* being accustomed to buy off the Barbarians for a Sum of Gold, diverted them from the Eastern Provinces to the West, where the year after they were defeated by *Theodorich* now King of *Italy*, who took *Syrmium* and joyned it to that Countrey. This year also was *Amida* a strong Garrison of the *Romans* in *Mesopotamia* taken by *Cabades* the *Persian*, after a Siege of six months, by the Treachery of certain Monks. The occasion of it *Procopius* declares fetching the matter a little higher.

L. ult. de Testib. Codic. Just. lib. 2. tit. 4. — *A. D. 502.* — *Anieno Jun. & Probo Cos.*

The *Bulgari* invading *Thrace* are bought off by *Anastasius*.

48. *Cabades* the present King of *Persia* became in Debt to the King of the *Ephthalites*, and not being able to pay it, he prayed the Emperour *Anastasius* to lend him the money. The Emperour consulting with some about him, they disswaded him from it, telling him how inconvenient it would be, if he should confirm with his money the Freindship of the Barbarians amongst themselves, and that it were better for his Concerns that they should ever clash with one another. Upon his refusal *Cabades* resolved to invade the *Romans*, and into *Armenia* he brought the first News himself with an Army. Having foraged the Countrey, he sate down though in the Winter before *Amida* a City of *Mesopotamia*, the Inhabitants whereof though they had no Garrison (as having lived before peaceably and quietly,) and wanted all manner of Provisions, yet stood out against the dangers and inconveniences of a Siege. At that time one *James a Syrian*, a just and very Religious man, had for many years been a Recluse, at a place distant from *Amida* but one days Journey, that so he might not be interrupted in his godly Contemplations. And those of the Neighbourhood, to be helping to his good intent, had pitched a Pale about him, with spaces wide enough onely to see and confer with such as came to him, with a Roof to keep off from him Rain and Snow. And there he had long continued not yielding to Heats or Colds, feeding on Roots, and not of them every day, but fasting sometimes a good while together. Some *Ephthalites* ranging about the Countrey espied this *James* and offered to shoot at him, but their hands were suddenly benummed and they could not draw their Bows. *Cabades* hearing the report would himself be an Eye witness of the Miracle, and seeing it, was astonished as also those that were about him. He humbly besought *James* to pardon his men their offence, which he did at the first word, and they were instantly free'd of their fears. *Cabades* then bad him demand something, thinking he would have asked some great Sum of money. But he prayed him onely to bestow on him such men as in this War should come to him for Protection. Which *Cabades* granted, and left him Letters for their assurance. And the rumour being spread abroad, many from all parts came and were preserved.

Bell. Persic. lib. 1.

Cabades the Persian Besieges *Amida*.

49. But *Cabades* with his Rammes battered *Amida* on every side, and the Inhabitants avoided the strokes of those Engins by cross Beams, in such a manner that the Wall became impregnable, so strong were their Buildings in ancient times. Failing therefore this way, he raised a Mount so high that it commanded the Wall. To this the Defendants drew a Mine from the Town, and by carrying out the Earth, from within the Mount made it hollow, the outside retaining still the form it had, and giving no suspicion of any design to the Enemy. The *Persians* came upon it, thinking as upon firm Ground to Shoot into the Town; but company pressing upon it, the Mount sunk, and almost all perished. *Cabades* at this despaired, and resolved to raise the Siege, commanding the Army the next day to retire. But the Townsmen, as now secure, flouted the Barbarians from the Walls, and some common Women drew up their Clothes, shewing *Cabades* those parts which should not be seen by men. Hereupon the *Magi* forbad his Retreat, assuring him that e'er long the *Amidenses* would shew him all their secret and hidden things. The Camp continuing in its former posture upon this their suggestion, some days after a *Persian* near one of the Turrets found the mouth of an old Vault, covered onely with a few small Stones, he entered it alone in the Night, and when it was day made the matter known to *Cabades*, who, resolving not to loose the advantage, the

the Night following went with part of his Army and scaling Ladders to the place. The Turret was Guarded by Monks, (the strictest sort of Christians,) who that day observed an Annual Feast, and being wearied in their Solemn Assembly, and having taken a greater proportion of Meat and Drink than usual, they perceived not the Enemy.

50. The *Persians* entered the Town by a few at a time, and ascending the Turret killed the Monks as they lay fast asleep. Then did *Cabades* set scaling Ladders to the Wall adjoyning to the Turret, and when day appeared the Besieged who guarded the next Turret, perceiving the danger they were in, hasted to the rescue. And after an hot Conflict they had the better of it, for killing many men that were already got up; they kept off those upon the Ladders, and were very near quit of the Danger. But *Cabades* drawing his Scimiter, forced his men up the Ladders, threatning Death to the comers down, and thereby overpowring the Defendants by numbers took the Town after eighty days Siege. Great slaughter was made, till *Cabades* riding into the Town, his fury was asswaged by an old Priest of *Amida*, who told him that it was not Royally done to kill men now at his mercy. *Cabades* yet angry, demanded why then they would stand out against him? Because, Sir, replied the Priest, God would give you *Amida*, not by our wills, but your own Valour. *Cabades* pleased with this Reply, suffered no more Execution to be done, but permitted his Souldiers to sack the City and take Prisoners, of which he had the principal to himself. Then leaving in Garrison a thousand *Persians*, under one *Glones*, and some wretched Citizens to serve them with necessaries; with his Prisoners he Marched home. Yet with the Prisoners he dealt very Princely, for he let them all go home free, and gave out that they ran away from him. *Anastasius* also dealt kindly with them, remitting to the Countrey their Tribute for seven years, and conferring many Benefits both upon the City and private men; so that they soon forgot the misery they had undergone.

Amida taken.

51. But *Anastasius* having the News of the Siege of *Amida*, immediately dispatched away an Army against the Enemy. This Army was cheifly Commanded by *Areobondus* General of the East, who Married the Daughter of *Olybrius* the late Western Emperour, *Celer* who Commanded the two Palatine Cohorts called by the *Romans Magister*, with *Patritius* the *Phrygian* and *Hypatius* the Emperour's Sisters Son, who Commanded the two Legions in *Constantinople*. These were accompanied by *Justin*, who was Emperour after *Anastasius*, by *Patriciolus* and *Vitalianus* his Son, who afterwards rebelled against *Anastasius* *Pharasmenes* of *Colchos* an excellent good Souldier, with *Godisfelus* and *Stefas Goths*, both Gallant men and expert Souldiers, who followed not *Theodorich* into *Italy*. Of this Army *Procopius* affirms that so brave one went not against the *Persians* before nor after to his time. The Prefect of Provisions was *Appian* an *Egyptian*, a principal *Patritian* and Valiant, whom the Emperour declared his Partner in the Empire by Codicills, that he might have absolute Authority in the expence of the Army, which Marched not together, but each of the four Commanders led his own Forces. They found the Enemy gone home with his Spoils after the taking of *Amida*, which now they would not Besiege hearing it to be furnished with all Necessaries, but made an Impression into the Enemies Countrey, Marching not in one Body, but encamping severally. *Cabades* being near and having notice, entred the *Roman* Borders with his whole Army, which being understood by *Areobondus*, though at first they thought he had with him but some small party, he quitted his Camp and ran to *Constantina* a City distant two days Journey. The Enemy took the Camp and Baggage without any men, and thence with speed went to the Quarters of *Patritius* and *Hypatius*, who having met with eight hundred *Ephthalites*, who were marching before the *Persian* Army, had killed them all; and not dreaming of the Army with *Cabades* were making merry like Conquerours, laying down their Arms and preparing for Dinner. Some washed their Meat in the adjacent Brook, and others troubled with heat were bathing themselves, which made the Water run foul.

The *Romans* invade *Persia*.

52. *Cabades* having heard of the ill fortune of his *Ephthalites*, Marched apace toward the Enemy, and by the thickness of the Water gheft at the matter, and that the *Romans* were unprepared. And commanding to drive on with full speed, he came upon them at Dinner and Unarmed; and being so suddenly surprized, and not able to abide the charge, they ran away without making resistence. Some were overtaken and slain, others fled to a Mountain, and for fear leaped down the Rocks, not one of them escaping. This done, *Cabades* standing in fear of his Enemies the *Hunnes*, who now invaded his Territories, went home with his whole Army,

Some are defeated by *Cabades*.

Army, and had a long War with them upon his Northern Borders. In the mean time the other *Roman* Forces came, for *Celer* was not before this Defeat come up to the rest; but they did nothing, having no Commander in cheif, and the Generals with their Equality of power ever crossing one another in their opinions. *Celer* passed the River *Nymphius*, which ran by *Martyropolis*, and was distant from *Amida* thirty five miles, and having foraged the Countrey soon departed home. The Emperour sent for *Areobondus* to *Constantinople*, and the rest sate down before *Amida* in Winter, where failing to be Conquerours, they resolved to force the place by Famine. The Besieged did really want provisions, but the *Roman* Generals knowing it not, and seeing the Souldiers weary of a Winter Siege, imagining also that the *Persian* Army would e'er long return, made haste some way to rise and be gone. The *Persians* also were doubtfull of their condition in these straits, though they concealed their wants, and made shew of plenty, but they desired they would make some handsome Retreat. In conclusion, an Agreement was made, that the *Persians* for ten Centenaries of Gold should surrender the City. The Articles were performed, and the Son of *Glones*, who was slain in an Ambush by the Treachery of a Peasant that betrayed him, receiving the money gave up *Amida*. He was vexed that he could not stay to revenge his Father's Death, but burnt the Church of St. *Simeon* where he Lodged. Other Buildings neither *Cabades* nor *Glones* nor any *Persian* defaced in *Amida*, nor about it.

Others return having done little.

Amida recovered by money

53. Thus the *Romans* recovered *Amida* by money, two years after the taking of it. Being got within it, their own negligence appeared, and the abstemiousnels of the *Persians*. For it was found by considering the quantity of the Victuals left, and the Barbarians that went out, that not above seven days Provision was remaining; yet *Glones* and his Son had delivered it out to the *Persians* more sparingly than their need could well endure, and to the *Romans* in the Town nothing at all, so that they were forced to Eat unusual Food and abominable, and at last one another. The Generals finding themselves thus deceived by the Barbarians, reproached the Souldiers for their Intemperance and Disobedience, who having it in their power to take the Town with all the *Persians* in it at mercy, had dishonourably parted with the *Roman* Treasure to Barbarians, and gotten *Amida* as some Merchandize for money. But afterward the War with the *Hunnes* growing long, the *Persians* made a Truce with the *Romans* for seven years, which was concluded by *Celer* on the part of the *Romans*, and by *Aspevedes* on that of the *Persians*. And so ended this War about *Amida*, but something farther happened betwixt the *Romans* and *Persians* in the Reign of *Anastasius* concerning the *Caspian* Gates, so called; which Gates described, and the matter it self you shall have from the Relation also of *Procopius*.

Dishonourably.

A Truce for seven years,

54. The Mountain *Taurus* of *Cilicia* passeth first by *Cappadocia*, then *Armenia* and *Persarmenia*, *Albania* and *Iberia* with other Nations that way, then either free or subject to the *Persians*. Extending thus through many Countries, the farther it goes it grows to a greater height and breadth. But beyond *Iberia* you come to a narrow place, reaching some six Miles, and ending at a steep one unpassable, where for the way out, Nature hath built a kind of Gate, anciently called the *Caspian* Gate or *Straits*; beyond which were then fair Champions well watered, and large Plains for Horse Pasture, where were seated the Nations of the *Hunnes*. These *Hunnes* extended to the lake of *Mæotis*, and passing the Straits in their Inroads into the *Roman* or *Persian* Provinces, came with their Horses fresh and lusty, not fetching a compass about, nor being ingaged in ragged places, those five miles into *Iberia* excepted; whereas such as took other passages arrived with much toil, and could not make use of the same Horses, having been forced to many circuits and craggy ways. *Alexander* the *Great* considering this, built Gates there indeed, and by them a Fort, which through the Hands of many Owners came at length to *Ambazules* a *Hunne*, a friend of the Emperour *Anastasius*. This man now grown old and near his End, offered to *Anastasius* for money to put the *Romans* in possession both of the Gates and of the Fort.

The *Caspian* Gates.

55. The Emperour, who was not wont to doe things unadvisedly, considered that it was not possible to maintain a Garrison in the place wanting all Commodities, and having no Nation near it that was subject to the *Romans*, and gave the man many thanks for his good will, but would not meddle with the thing. *Ambazules* soon after Died, and *Cabades* forcing out his Sons, possessed himself of the Gates. *Anastasius* also after the Truce with *Cabades* was expired, built a very strong City at a place called *Daras*, distant from *Nisibis* about twelve miles, and from the *Persian* Frontier three miles and an half at most, and named it *Anastasia*. This

Possessed by Cabades.

This building the *Persian* desired to hinder but could not, having his Hands full of the *Hunnes*; but this War being once over, he expostulated with the Emperour for Building so near his Confines as contrary to the Articles of Peace. *Anastasius* put it off, sometimes threatning, sometimes pretending friendship, but especially by large presents. Another City also he Built upon the frontier of *Persarmenia*, which before had been a Village, and from *Theodosius* was called *Theodosia*. *Anastasius* compassed it with a strong Wall a little before his Death, which no less than the other troubled the *Persians*, being both as Rampiers upon his Countrey.

Anastasius builds Cities to restrain the Persians.

56. For the year of our Lord DIII *Dexecratus* and *Volusianus* were Consuls. In this year was the Defeat given by the *Persian* King to the *Roman* Commanders lately mentioned. While they managed their matters unsuccessfully abroad, *Anastasius* at Home managed a War against the Orthodox Christians. But he employed his *Questor* in making Edicts in behalf of Emancipations that such as were emancipated by the Rescript of the Prince should enjoy the ustal Privileges of Descent as did other Children, which still continued under paternal power in the Family, contributing their own goods, and should also succeed their Brothers dying intestate. These things he enacted by one Constitution divided now, according to the Contents of it, into three several Laws by the Compilers of *Justinian*'s Code. For they have all the same Inscription, and all bear date in *July*, though a little alteration there be in the numbers of the days before the Calends of *August*. Of the following year we have nothing here to observe, but that it is marked with the Consulship of *Cethæus* alone, for which *Baronius* would have *Cetegus* to be read, which was a *Roman* Name. Of which a famous Senator flourished at this time, to whom are Letters found directed from *Ennodius Ticinensis* or of *Pavia*.

A. D. 503. *Dexecrato & Vulusiano Coss.*

He is favourable to Emancipated Children.

L. 18. *de Collationib. Cod. Justi.* *lib.* 6. *tit.* 20. *L.* 11. *de legitimis Heredib. lib. eod. tit.* 58. *L.* 8. *de emancipationib. lib.* 8. *tit.* 49. *Vide Cujacii Observ. lib.* 18. *c.* 18.

57. The year DV. was signalized by the Consulship of *Theodorus* and *Sabinianus*. The former was firnamed *Manlius*, and being Namesake too is also reported to be descended from that *Theodorus Manlius* or *Mellius* of whom we have so much spoken when Consul, in the Second Volume of this Work. Whereas *Theodorich* who had obtained the Kingdom of *Italy* had along time had for his friend *Anastasius*, at least as some have believed; now they began to be at open Enmity, and its said that this year the Empire was invaded by the *Goths*, under Conduct of one *Mundo* by this Designment, and that *Sabinianus* the Consul being sent against him was defeated, and having lost his Army he himself escaped with a few. The year next ensuing had *Messala* Consul at *Rome* and *Areobondus* at *Constantinople*, and presents us with nothing of civil Concernment though too much of Ecclesiastical, the Emperour concerning himself so far in behalf of Schismatical Persons, that he gave great offence by such his carriage to the People of *Constantinople*. And the year which followed wherein he himself the third time, and *Venantius Decius* were Consuls, we are told things grew to such extremity in the City, that the People fell into a Sedition in the Cirque, where usually meeting to behold the Sports they were always wont to use licentious freedom toward the Emperours.

Vide Baron. ad hunc Ann.

Incurs the displeasure of the People.

58. The year of our Saviour DVIII was known by the Consulship of *Venantius Junior* and *Celer*. Now were the Differences betwixt *Anastasius* and *Theodorich* King of *Italy* grown into open Enmity. For *Theodorich* endeavoured to get into his hands *Pannonia* which was accounted to belong to the Eastern Empire. And *Anastasius* sent out a Fleet against him, under the Conduct of *Romanus* the *Comes Domesticorum*, and *Dasticus* who Commanded the *Scholæ*, on board of which were eight thousand Armed men. They proceeded as far as *Tarentum*, which they attacqued and wasted the Coasts of *Italy*, and so *Romanus* having exercised Piracy against the *Romans*, brought home their Plunder to *Anastasius*. He might be incouraged to this undertaking by the Absence of *Theodorich*, who this year Warred against the *Franks* in *Gall*. The year DIX had *Importunus* for Consul, and in the West it's thought, being the same with him whom *Theodorich* advanced to the Degree of *Patritian*, being of the ancient Family of the *Decii*. The year that followed was enobled by the Consulship of *Boetius*, that excellent Person of whom we have much to say in the History of the *Italian* Kingdom. Of these years little else of civil Concernment do we find in the East, onely that the *Saracens* subject to the *Persians*, wasted *Arabia* and *Palestine*, while *Anastasius* made great stir at *Constantinople* about Religion, and distressed those of the Orthodox Party which made the people turbulent and seditious. The year DXI is for nothing eminent, except it be for the Consulship of *Felix* and *Secundinus*; which *Felix* was a *Gall* by Nation; and was promoted to this Dignity by *Theodorich* as we may see hereafter.

A. D. 508. *Venantio Jun. & Celere. Coss.*

Enmity betwixt him and Theodorich King of Italy.

The *Saracens* waste *Arabia* and *Palestine*.

59. The

59. The year DXI. had for Conſuls *Paulus* and *Muſcianus*; and nothing is it remarkable for, except a Tumult and Sedition of the Citizens of *Conſtantinople* againſt the Emperour upon the account of Religion, and his acting ſtill againſt the Orthodox Chriſtians. And the ſame we hear of him in that following which was characterized with the Conſulſhip of *Probus* and *Clementinus*, as the *Chronicon* of *Caſſiodorus* hath it, though ſome call him *Clementianus*. And for the next enſuing, the Authour of that *Chronicon* himſelf, or *M. Aurelius Caſſiodorus Senator*, the great Miniſter of *Theodorich* attained to this Dignity, of whom much is to be ſaid in the Hiſtory of that Kingdom of the *Goths*. Here it is onely proper to obſerve that he was Conſul alone, having no Collegue out of the Eaſt, though in the Eaſt the *Roman* Empire, and conſequently the Conſulſhip could onely properly be found. All the reaſon that can be given for this is, that the diſturbances about Religion were ſo great at *Conſtantinople*, that *Anaſtaſius* had other things to doe, than to think of conferring this titular Dignity. Theſe ſtirs arrived at ſo great an height, that the Orthodox Biſhops were expelled from their Sees, and in their places were Hereticks preferred by the Emperour, againſt whom it is obſerved by *Baronius*, that God Almighty ſtirred up *Vitalianus* a *Scythian*, as *Marcellinus* calls him, who gathering together ſuch *Roman* Horſe as he could raiſe in three days time, came as far as the place called *Septimus*, and encamped himſelf. There diſpoſing of his men from Sea to Sea, he proceeded as far as the Golden Gate of *Conſtantinople* without any loſs, affirming he came to aſſert the Orthodox Faith, and to ſuccour the Biſhops of the City, unjuſtly baniſhed by the Emperour.

A. D. 512. *Paulo & Muſciano Coſſ.*

Diſturbances about Religion.

60. Yet by the diſſembling and perjuries of *Anaſtaſius*, managed by one *Theodorus* whom the Emperour employed, he was prevail'd with to leave the City the eighth day after he came thither; though as *Cedrenus* writes, having ſeized on all *Thrace*, *Scythia* and *Myſia*, he had following him an Army of *Hunnes* and *Bulgari*, and had taken many Cities together with *Cyril* the Governour of *Thrace*. But *Anaſtaſius* being in a deſperate condition begged Peace, and ſwore that together with the Senate he would reſtore the Baniſhed Biſhops to their Sees, and call a Council. *Marcellinus* relates that *Vitalianus*, departing from *Conſtantinople*, got by craft unto *Odyſſus* a Town of *Thrace* in the night time, and there caught *Cyril*, who was more talker than fighter, ſleeping betwixt two Whores, and there killed him; after which he ſhewed himſelf an open Enemy to *Anaſtaſius*. But *Euagrius* makes this enmity to have been rather, for that *Vitalianus* affected the Sovereignty. He writes that being a *Thracian*, with ſuch a deſign he waſted *Thrace* and *Myſia* as far as *Odyſſus* and *Anchialus*, and haſted to *Conſtantinople* with a mixed multitude of ſuch Nations as were wont to wander about without any fixed habitations. That the Emperour ſent *Hypatius* againſt him, who was taken Priſoner and ranſomed with a great ſum of Money. After him *Cyril* undertook the charge, and at firſt they fought doubtfully, till *Cyril* ſo beſtirred himſelf that he put the Enemy to flight, and had the better of it; but *Vitalianus* rallying his men, turned back againſt him, and his Souldiers forſaking him by reaſon of their ill will to him, he took him in his Flight, and ſlew him. After this *Vitalianus* made excurſions as far as *Sycæ*, and waſted all with Fire and Sword, having no other thoughts but to deſtroy *Conſtantinople* and to obtain the Empire.

Vitalianus his attempts and deſign

Variouſly reported.

Lib. 3. *c.* 43.

61. Having encamped himſelf at the place called *Sycæ*, the Emperour ſent againſt him *Marinus Syrus* with a Fleet, becauſe it ſeems his ſtrength lay at Sea, and the Navies faced each other, one toward *Sycæ*, and the other toward *Conſtantinople*. And at firſt they onely faced and viewed each other, but at length began to play and give the chaſe as it were in jeſt, till it came to a Battel in good earneſt, fought near *Bythanæ*. Herein *Vitalianus* was forced to turn tail, and having loſt many men, in great fear and aſtoniſhment fled, which example of his they followed, which had fought for him; inſomuch that the next day not one of them could be found either in the paſſage, or about the City. The report went that *Vitalianus* himſelf for ſome time lay quiet in *Anchialus*. To this Narration *Euagrius* adds that another ſort of Barbarians who lived without Houſes, paſſed the Sea, and made an Incurſion to the *Pylæ* or Gates of *Cappadocia*. And at the ſame time *Rhodes* was now the third time miſerably ſhattered with an Earthquake happening in the night, and was almoſt deſtroyed. So briefly doth this Hiſtorian write concerning this War betwixt the Emperour and *Vitalianus*, attributing it to the ambition of a Rebel, and not to any Religious concern; for which *Baronius* leaveth him and follows the account given him by *Marcellinus Comes* in his *Chronicon*, who digeſts the ſeveral particulars he relates according to the years wherein they were done.

He is worſted at Sea.

62. The

62. The year of our Saviour DXV. had *Anthemius* and *Florentius* for Conſuls. This year *Vitalianus* (in behalf of the Catholick Faith ſay they) became more fierce againſt *Anaſtaſius*. He ſent before a Party of Horſe, and ſome Boats by Water, and he himſelf with his Foot entred a place called *Prædium Sixtinenſe*, where he took up the Palace for his Manſion. Now were ſent unto him Senatours to make a peace. As a Ranſome for *Hypatius* he received ninety pounds of Gold, the Emperour's gifts excepted, beſides one thouſand and one hundred pounds he had when *Uranius* was taken Priſoner. Being made *Magiſter Militum* in *Thrace*, he ſent back *Hypatius*, whom he had kept in Chains in a Caſtle called *Acres*, to his Uncle. To theſe conditions *Baronius* as an Eccleſiaſtical Hiſtorian adds, that an Oecumenical Council ſhould be called; of which we are not here to give an account. This year alſo died *Ariadne* the Empreſs, having paſſed at Court no fewer than ſixty years, and them to the great detriment of the Church, as is obſerved. Moreover this ſame year was famous for Wars and devaſtations, for the *Hunnes* roved through *Armenia*, and waſting all *Cappadocia*, proceeded as far as to *Lycaonia*. The next that followed, which was characteriſed with the Conſulſhip of one *Peter* without a Collegue, was paſſed over without any conſiderable thing but what relates to the Eccleſiaſtical Hiſtorian. Onely *Anaſtaſius* for fear of *Vitalianus* and his Orthodox Army diſſembled greatly, and commanded certain Biſhops, whom he had formerly baniſhed, to return to their Sees. But when upon his diſſimulation *Vitalianus* retired, and he now ſeemed to be ſecure; *Baronius* judgeth of him, that as having obtained a glorious Victory, and the Rebel being conquered not by Arms but cunning; the Biſhop of *Rome*, being alſo cheated as to the hope he had of Eccleſiaſtical concord, the year following he erected as it were a Trophy, and took the Title of Conſul; which Title he now bore the fourth time. And to him was given one *Agapitus* a Collegue for the Weſt.

A. D. 515. *Anthemio & Florentio Coſſ.*

Still active.

63. He had but a ſmall time to reap the fruits of his conceived Victory, and to pride himſelf in his triumph, though what time he had, we are told he improved to the advantage of his own and the perſecution of the Orthodox Party. This Perſecution is ſaid to have proceeded ſo far, as that it entred into the very Court, where under pretence of a Plot againſt the Emperour, the throats of many eminent Perſons were cut, and *Juſtin* with *Juſtinian* his Nephew, both of them famous at home and abroad, were hardly preſerved by a terrour ſtruck from Heaven into him: For *Zonaras* reports, that when he deſigned to put them to death, a terrible man appeared to him in a dream, and bade him doe them no harm; for each of them in his time ſhould ſerve God. *Euagrius* relates how the people of *Conſtantinople* being tumultuous againſt him upon the account of Religion, and for baniſhing their Biſhop *Macedonius*, not onely the Nobility came into extreme danger, but many excellent Buildings were burnt, and barbarous murthers being committed, the flame of Sedition raged ſo far, as bringing all things into danger, the Emperour by neceſſity was driven to commiſeration. He put off his Crown and came to the Cirque, ſending Criers before him to proclaim to the people, That *He was moſt ready to lay down the Sovereign Power, but all of them could not be placed in that Dignity, which could receive but one who muſt Reign after him.* The People beholding him ſuddenly chang'd it's opinion as from a Divine admoniſhment, and intreated *Anaſtaſius* to reaſſume his Crown, promiſing upon that condition to be quiet. *Anaſtaſius* after this lived but a very ſhort time, dying when he had governed the Empire twenty ſeven years, three months, and as many days.

Anaſtaſius perſecuteth the Orthodox.

Lib. 3. *c. ult.*

Dies.

64. But as he lived an impenitent Perſecutour, he did not depart this World without terrible notice given of his diſmal end, the ſame Eccleſiaſtica Writers obſerve. *Marcellinus* relates that in the Province *Dardania* twenty four Caſtles were ruined by an Earthquake in one moment. Of theſe, two ſank down with the Inhabitants; of four was deſtroyed one half, and alſo of thoſe that lived in them; of eleven the third part of the Buildings were undermined, and alſo a third part of the people loſt; and ſeven, by being ruined, a fourth part, with a loſs of a fourth part of thoſe that inhabited them, ſtruck a great terrour into the Neighbourhood. *Scupus* the Metropolis was utterly defaced, though without the deſtruction of its Citizens who had formerly left it, flying from the Enemy. Many of the Mountains of this Province were by this Earthquake cloven in ſunder, Rocks were rent, and Trees being torn up by the roots, a great hole was made thereby. In a certain Caſtle of the Region called *Caniſa*, by name *Sarnonto*, the Veins of the Earth were ſo burſten, that the Earth vomited abundance of Water. They recount from *Zonaras* another Dream *Anaſtaſius* had after the diſcharging of *Juſtin* and *Juſtinian*, how again he ſaw a terrible Man in his ſleep, who holding a Book in his

A grievous Earthquake preceding his death.

hand, said, *Look, for the perverseness of thy Faith I blot out fourteen years of thy life.* And to this *Cedrenus* adds, that when he awaked he told his dream to *Amantius* his *Præpositus Cubiculi*; who let him know that he had also dreamt, that standing by him the Emperour, there came a great Hog and plucking him down by his cloathes devoured him. Upon this *Proclus* the Fortune-teller came and declared that both of them in a short time should depart this life.

Which was foretold by *Proclus*,

65. But as for this *Proclus* he was not, as appears from *Zonaras*, a mere Fortune-teller, but the greatest Mathematician of this and many other Ages. He was famous as well for Philosophy as Mechanick knowledge. He not onely understood all that was known by that famous Artist *Archimedes*, but he himself found out some new things; for by him was invented that Engine which defeated the Fleet of *Vitalianus*. This was made of Looking-glasses, which being hung upon the wall over against the Navy, reflected the Sun beams with such violence upon it, that it burnt both Navy and the Men that were upon it, which yet *Dion* reported *Archimedes* to have invented, when the *Romans* besieged *Syracuse*. But that you may see what intimate friends *Anastasius* had, and what company he kept. *Baronius* farther tells you out of *Suidas* concerning this *Proclus*, that he was a *Lycian*, the Scholar of *Syrianus*, and an Hearer also of *Plutarch* the Philosopher, the Son of *Nestorius*. That being himself a *Platonick* Philosopher he was overseer of a Philosophick School at *Athens*, where *Anastasius* endeavoured to restore the Academy. That his Disciple and Successour was said to be *Marinus* the *Neopolitan*. And afterwards reckoning up his Writings, he adds, that he wrote eighteen arguments against Christians; that this is that *Proclus* who next to *Porphyrius* whetted his impure and contumelious tongue against Christians. But *John* the Philosopher most famously refuted his Propositions, and shewed him to be rude and unskilfull in Greek Learning, for which he had a great name. But at this time (that they may not be confounded) lived also another *Proclus* far different from the other, a man most abstinent, and tenacious of the ancient Decrees, the *Quæstor* of the Emperour *Justin*.

His favourite, and yet a Pagan and one who wrote against Christians.

66. It had been, its said, told to *Anastasius* that he should die by Thunder. To avoid this he caused to be made a Building, which *Baronius* justly termeth a mad Work, whereby he hoped to avoid the danger; and *Proclus* the Philosopher and Mathematician he thinks to have been Authour of it, which is probable enough; but let us hear how the end foretold him was brought about. It Thundring and Lightning exceedingly, he was terrified, and went down from one Room into another; and passed from this Chamber into that, but was found dead in his Apartment. Having been told he should die by Fire, he opened a Cistern in the Palace with many windings and turnings, at each of which a Vessel was placed; endeavouring by this means to evade the Oracle, but to no purpose. Such was his end, as it is told by *Zonaras* and *Cedrenus* the later Greek Writers, though *Euagrius* speaks nothing of this manner of it, after he had reigned twenty seven years, three months, and twenty nine days, as say some; though as others, three days over and above twenty seven years and three months. His memory was very odious upon the account of his favouring Heresie, and persecuting the Orthodox Bishops; so as his name, together with that of his Predecessour *Zeno*, are said to have been struck out of the Sacred Diptychs. As for Civil matters we have seen how he took away the *Chrysargyrum*, though it's said he brought up another as severe an Imposition. *Euagrius* farther Writes, as to the good things of his Reign, and his commendation, that the Barbarians called *Scenitæ*, that sort of *Saracens* (because they lived in Tents) being grown arrogant, rose up against the *Roman* Empire to their own loss. They overran *Mesopotamia*, both the *Phœnicia's* and *Palestine*, but being grievously beaten by the Commanders in the Provinces made a peace with the *Romans* in the name of all their Nation and then were quiet. In reference to these matters, the *Persian* War about *Amida* and other affairs, its pity that the History of *Eustathius* is lost, which is so far commended by *Euagrius*, that he tells his Countrey-men, that if any of them had a desire to have a perfect account of them, and to get an accurate knowledge, they should reade that Writer, who with great Eloquence, vast labour and exquisite Elegancy, brought down his Narration to the twelfth year of the Reign of *Anastasius*, and then died.

Anastasius killed by Thunder, according to the later Greek Historians.

His Actions.

67. Whether *Euagrius* had it from him or others, he adds that the *Persian* War being over, he built the place called *Daras* (some said from *Darius* his being there utterly overthrown by *Alexander*) in *Mesopotamia*, being situate in the utmost borders of the *Roman* Empire, and as it were the *terminus* or boundary by which that and the *Persian* Kingdom were distinguished. From a field he changed it into a City. First he compassed it with a most strong wall; then he raised various Structures in it, and those very goodly, as Churches and other Houses, Royal *Porticus's*, publick Baths, and such like Works, wherewith famous Cities were wont to be adorned. Farther, this same Emperour was the Authour of a vast structure being as memorable a work as any other, and this was the long Wall raised in a convenient place in *Thrace*. It was distant from *Constantinople* at most two hundred and eighty furlongs. Both Seas, like to some Strait, it fronted for four hundred and twenty furlongs, and made the City almost an Island from a *Peninsula*; and it conveyed those who had a mind to sail from *Pontus* to the *Propontis* and the Sea of *Thrace* with great security. In conclusion, saith he, it repells such Barbarians as make excursions from the *Euxine* Sea, from *Colchis* and the Fenns of *Mœotis*, as also such as should invade from the places beyond *Caucasus* and from *Europe*. Thus much doth *Euagrius* write concerning the long Wall, which is to be taken notice of, because that in the course of the *Byzantine* History frequent mention is made of it.

Lib.3.c.a.26.&c.

His Buildings.

The long Wall.

His Character.

68. As for the general demeanour of *Anastasius*, it's to be feared that the Ecclesiastical Historians are much in the right, though something be to be allowed to interest and passion. Of all other testimonies they may well have most reason to cite what *Suidas* hath written of him, to make good the very evil character they give him. He tells of him that changing for the worse, after some things well performed at the beginning of his Reign, he turned the whole Empire into a kind of Aristocraty. That he sold all Offices of Magistracy, and pardoned Offenders for Money, with an insatiable desire after which he burned. Thence came it to pass that the Military Rolls being exhausted, the Provincials were plagued with things unwonted and Foreign. For he never drave away the Barbarians by force of Arms, but still would redeem Peace with money. Besides this he made enquiry into the Estates of deceased persons, and brought common poverty upon all. To such as he had deprived of their livelihoods, a little after he would be charitable as it were by giving them something back again. Places that he had made void of Inhabitants he would adorn by repairing their structures, especially he was kind to his own native place, which he compassed as it were with three Crowns. Under him the Cities of *Libya* were grievously afflicted by those they called *Larici*, for he set over them *Marinus*, his Nephew by his Daughter, one that was young and of a light disposition; and after him *Bassianus* his Son, who exceeding his Predecessour in naughtiness, it happened that the Provincials wished for their former condition again, when they remembred what slaughter and spoils they had undergone: So *Suidas* sets him out. But there remains something more to be said, which will give light to discover the Constitution of the State, if not of the Prince himself. For we have several other Laws extant in the Code which bear his name, though they be without day or Consul, and so cannot be certainly assigned to any particular years; we shall make mention of such of them as relate to the Government and the *jus publicum* of the *Roman* Empire.

Laws of his making without Consul or day.

69. And the first Law we meet with of this sort without Consul or day, is for removing a grievance in the Government proceeding from the Emperours Orders, often surreptitiously and fraudulently obtained. Complaints being urgent upon this account, by an Edict directed to *Matronianus* a *Præfectus Prætorio*, " he admonish- *L. ult. Si contra jus, &c. Cod. Just. lib. 1. tit. 22.*
" ed all Judges throughout his Dominions that they should suffer no *Rescript*, no
" *Pragmatick Sanction*, no *Sacred Adnotation*, which was against the general Law,
" or publick utility to be made use of in the canvasing of any cause; in the mean
" time not doubting but they were strictly to observe the general Sacred Con-
" stitutions. Now for an understanding of these several terms, Rescript was a general one. Of Rescripts some were Law and some were not, some were Personal and some were General, some were Temporary and others Perpetual, some were of Force and some not. More particularly a Pragmatick Sanction was solemnly made concerning the judgment of Council at the petition of some other Person. An Adnotation was made briefly, the name of the Prince being noted or written to the Petition. That they termed an *Oraculum* was some simple command subnoted by the *Quæstor* alone, or the *Magistri Scriniorum*. A *Mandatum* was given about a Suggestion or a Petition. But as for general Constitutions made to bind all, as this whereof we now write, they being better and of more weight than simple Rescripts were to be obeyed.

He forbad unlawfull Rescripts to be obeyed.

Adnotatio.

He forbad Souldiers to be removed from place to place without the Emperour's order.

70. By another of this sort directed to one *John* who was *Magister Militum* through *Illyricum*, " He forbad Souldiers to be removed from one place to another. *L. 4. de officio Magistri Militum, Cod. Just. lib. 1. tit. 29.*
" But if it happened that there was some urgent and necessary cause, then he tells

" him the *Prætorian Præfecture*, and his See, (*viz.* of the *Magister Militum*) ought " to provide for the publick utility and security without delay, and send to the Em- " perour their suggestions, which should declare as well the places from which the " Souldiers should be removed, as those in which they were to quarter, and the " names of the most valiant *Numeri*, in which the said Souldiers were listed; " withall, the quantity of their *Annonæ*, and especially the cause why they should " be removed, that after such suggestion, he might give such orders as he should " judge convenient. This also was remarkable and praise-worthy in *Anastasius*, that he restrained a course which procured great vexation in Law matters, where- by a Suit was sold or made over for consideration to one who otherwise was a stran- ger to the Action, and this was called *Cessio actionis*: This he forbad, except in certain cases; and *Justinian* afterward coming to consider of it approved of this Constitution first, then regulated the cases wherein *Cession* was permitted, and in conclusion would have it absolutely to take place, onely in case it was made for Donation sake, and for the cause of mere liberality, without dissimu- lation.

Tam amplissimam Prætorianam Præfecturam, quàm suam sedem, &c.

L. 22. Mandati vel contra, Cod. Just. lib. 4. tit. 35.

He restrained the *Cessio actionis*.

L.L. 23, 24. ejusd. tit. Vide Cujacii obs. lib. 16. c. 16.

71. We have formerly seen how kind *Anastasius* was to Emancipated Sons in giving them right to succeed as other Children, though by being out of the Paternal power, they seemed also out of the family. But as he gave them the profit and advantage, he seemed herein unequal that he did not also impose the usual burthens upon them. And this was it seems so clamoured, that he found it convenient to satisfie the Sub- ject herein by an Edict directed to the People it self, wherein taking notice of his omission, he decrees that according to the Law of the twelve Tables they should be *Curatours* or Guardians to their Brothers and Sisters that were distracted, as *Legitimi*, or such as were Tutours and *Curatours* as neareſt a-kin. For of those persons which governed the persons and estates of Infants and others not able to govern themselves, the *Romans* had three sorts, either such as Parents assigned by Testament, or such as they called *Legitimi*, who were by the Law of the twelve Tables of course to take this charge as the next a-kin; or *Dativi*, which were given and assigned when the other failed by the Pretor or other Magistrate. The reason of the custome was to protect and assist those who were not able to help themselves; and this ina- bility proceeded not onely from infancy or Minority, but also from madness and distraction, by which disease they were rendred as infirm and helpless, and in a worse condition than the other; because the prevalency of a disease is very dange- rous, whereas nature outgrows the inabilities of Infancy or Minority. And because such as were deaf and dumb were also incapacitated thereby to see to their own af- fairs, as also such as laboured under some perpetual disease, they, and generally all who could not provide for themselves, had *Curatours* assigned them to doe it.

He caused Emancipated persons to be *Curatours* as other Sons.

L. 5. de Curat. vel Furiosi vel Prodigi, Cod. Just. lib. 5. tit. 70.

Justin. Instit. lib. 1. tit. 23.

72. But such was the care the *Roman* State had of its Members, that not onely such as could not, but also some that would not, had also *Curatours* assigned them to take care of their Affairs. And that this is the meaning and sense of this Law is also concluded, the Title in the Book being concerning the *Curatour* both of a Mad-man and of a Prodigal, and as to Emancipated Brothers the reason was the same. And the *Roman* Law esteemed a Mad-man and a Spendthrift to be very little different in their intellectuals, both being acted by distempers and those of the Imagination, which produce very suitable effects, though the Prodigal hath not the excuse from vice and sin which may be pleaded for the other. Now he was esteemed a *Prodigus* who neither had any measure nor end of his expences, but tore in pieces and dissipated his Estate. Some indeed are of opinion that nothing expresly was ordered by the Law of the twelve Tables concerning such an one, but that by way of Interpretation it was so taken. But *Justinian* in his Institutions ex- presly saith it, concerning as well Prodigals as Mad-folks, that although they were elder than twenty five years, yet they were under the Curation of their *Agnati* (or neareſt a-kin who were to succeed them in their Inheritance) and that by the Law of the twelve Tables. But at *Rome* he adds, the Prefect of the City, or the Pretors, and in the Provinces the Presidents were, after inquisition, wont to assign them *Curatours*.

Vide Vinnii com. in Instit.

73. *Paulus* the great Lawyer, in the third Book of his Sentences, hints that it came by custome, that the Prodigal was interdicted the management of his Estate, and some are of opinion that it was the custome at *Rome* for the *Agnati* to take care of the concerns of a Spendthrift, and that afterward it became inferred amongst the Laws of the twelve Tables. But it is made some question whether a Spendthrift, and one who lives luxuriously, be understood to be interdicted, his Estate *ipso jure*, and by the Law of the twelve Tables; or he is first to be inquired into

into and pronounced to be a Spendthrift by the Magistrate. Now he who is such an one indeed as we have described him, is in reality and morally a Prodigal, for- asmuch as vertues and vices do not depend on man's knowledge, approbation or censure, but have their own forms and nature. But yet as to what concerns the management of Estates, no man Politically and with effect of Law ought to be accounted a Prodigal, till such management upon hearing the matter be taken from him by Decree of the Magistrate. For the depriving one of the manage- ment of his Estate, or an interdiction, is not properly of Law but of Jurisdiction; that is, the Law doth not specially and particularly interdict any one the govern- ment of his concerns, nor can interdict him, but it in general commands that all shall be interdicted their Estates by Decree of the Magistrate, who shall be found to be such upon hearing of the cause, and will have such to remain in Curation of their *Agnati*. Now Madness is a distemper which sufficiently discovers it self, and there is no such need that a Distracted person be interdicted his goods by the Magi- strate, but that a person is a Prodigal ought to appear by many and various circum- stances, of which the Magistrate ought to give judgment; for lightly no man is to be forbidden the management of his own affairs, every one being presumed in a condition to doe it till it appear otherwise. Indeed if a man contract with one who is manifestly luxurious, and who he knows will cast away the money he is to receive, he may thank himself for so doing. The Decree of the Magistrate, when he interdicted any such person the management of his Estate, was of this Form; *Forasmuch as thou wastest wickedly thy Fathers and Grandfathers Estate, and bring- est thy Children to want, for that cause I interdict thee the medling with and manage- ment thereof.* A course which would doe good in our days, wherein there are ways enough to get Estates, and for the circulation of Riches, besides the advan- tage taken at the madness of Prodigals, who because they will not live upon something, must afterward live upon little or nothing, whether they will or no.

Pauli Sentent. lib. 3. tit. 4.

74. We do not hear from Historians, but though *Anastasius* was not accepta- ble to the people, especially of *Constantinople*, upon the account of Religion, yet he well enough pleased his Courtiers and the Nobility. Answerably we find in the view of his Laws, that he chose rather to oblige his great Officers than the *Curiæ* or Bodies Corporate. For whereas *Zeno* his Predecessor in favour of these Courts obliged such persons as had attained to be *Comites Rei privatæ*, *Comites Largitionum*, *Domesticorum*, *Quæstores*, or *Magistri Officiorum*, but at the beginning of his Reign were obnoxious to the services of the said Courts, to remain with their Children bound to the said services; " He repealed the Constitution of *Zeno*, as to " this point, releasing them by an Edict directed to *Polycarp* the *Præfectus Prætorio* " from such obligations, together with their Children born after such adminis- " tion, and their Estates, although it had happened that they had been subject to " and obeyed the said Constitution. Which was to have its effect and force from " the day wherein it was promulged, it being agreeable he saith, that Laws set " Rules to future things, and not stir up reprehensions to what are past. However *Anastasius* might manage his matters by Money rather than Arms, as we are told by some Historians; yet out of desire to be furnished with Weapons, " he forbad " the *Fabricenses* or those that belonged to the Forges, to be either Hirers or Ma- " nagers of other mens Lands and Estates, under pein to such as employed them " if they knew them to be *Fabricenses* of the lots of the land or thing so hired, " and grievous punishment to the men themselves, with forfeiture of their Estates " and perpetual Exile. And farther, for the Removal of the Arms forged by these " *Fabricenses*, when there was need thereof, he orders *Eufemius* the *Magister Offi-* " *ciorum* to whom he directs this Law, that his *Sublimity*, as he terms him, send " out his Letters to the most eminent Prefectship, to which he must therein de- " clare both the number of the Arms and from what place they are to be removed; " that according to the quantity the Prefect may issue out his Precept to the " *Clarissimi* the Governours of Provinces, on obedience to which *Angariæ* (beasts of " burthen or carriages) as also Boats might be prepared. In case of failure the *Numerarius* in present attendance at the Prefect's Office, and others concerned should incur a Fine of fifty pounds of Gold to be paid into the *Fiscus*; and the Governours of Provinces, and also their Apparitours, one of thirty.

He favoured his Officers.

L. 6. de Decurionib. Cod. Just. lib. 10. tit. 31.

Cum conveniat Leges futuris regulas imponere, non præteritis casibus accitas.

Was carefull as to making and conveying of Arms.

L. ult. de Fabricensibus, Cod. Just. lib. 11. tit. 9.

75. He was farther so civil to dignified Persons, that he permitted both them and such as enjoyed Illustrious titles onely honorary to return out of the Countrey to *Constantinople* without Letters revocatory. He permitted the two *Præpositi Cubiculi*, *viz.* his own and him belonging to his Empress, though out of Office, if they were

He was kind to dignified Persons.

L. ult. de Dignitatibus, Cod. Just. lib. 12. tit. 1.

L. ult. de Præpositis S. Cubiculi, Cod. Just. lib. 12. tit. 5.

were of the *Senatorian* Rank, when they went into the Countrey to see their Estates, or upon other occasions to wear the Girdle, it satisfying, as he saith, their desire, and being injurious to no other persons. To the *Consistorian Comites* of the Order of *Spectabilis*, he granted the same Privilege, both as to protection, and acting, as *Zeno* by his Pragmatick Sanction had granted to the *Clarissimi* the *Principes* of the School of the *Agentes in Rebus*. These three Constitutions were directed to *Eusebius* the *Magister Officiorum*, and possibly for *Eusemius* lately mentioned, *Eusebius* is to be read. To the same *Eusebius* also he published another Edict in favour of such as served in the *Scrinia*; "If the Sons were unfit to succeed "their Fathers, such as were subrogated in their places, should pay to the Heirs or "children of the deceased, an hundred *solidi*. Besides this he was kind to them as "to the Judicature in which their causes should be tried, whether Criminal or "Civil, the caution they were to give, and the Fees, in another Edict directed to "one *Celer* by the title also of *Magister Officiorum* who was their proper Judge. And with this Edict another seems to have made up one and the same Constitution, being directed to the same Persons, and giving muchwhat the same Privileges, granted to the *Agentes in Rebus* and their *Principes*. "He was favourable to the "Souldiers in present attendance, or those they called *Milites præsentales*, as to "deciding their Controversies, and paying Fees; and by an Edict directed to one "*John*, as *Magister Militum Præsentalium*, he Ordained that such Souldiers should "not be convened before the *Magister Militum* through the East, but before the "*Magistri Militum Præsentales*, and the *Duces*, though the *Duces* themselves were under the command of the *Magistri Militum* through the East.

L. 11. de Proximis S. Scriniorum, &c. Cod. Just. lib. 12. tit. 19.

L. 12 ejusd. tit.

L. ult. de Postulando Consistoriani, Cod. Just. lib. 12. tit. 10.

L. ult. de Præpositis Agentium in rebus.

L. ult. de re Militari, Cod. Just. lib. 12. tit. 36.

To the *Milites Præsentales.*

Justin succeeds *Anastasius.*

76. *Anastasius* being dead, *Justin* a *Thracian* on the Ninth day of the Month *Panemus*, by the *Romans* called *July*, and in the five hundred sixty sixth year from the time that the City of *Antioch* was so named (according to the computation of *Eusgrius*) was proclaimed Emperour by the *Prætorian* Souldiers. He was of a very mean Original. His first employment was the keeping of Cattel, which having changed for that of a Souldier, he managed himself with that personal valour and conduct, that he arose to the Dignity and Command of a *Tribune*, and afterward we are told to the highest Office of *Præfectus Prætorio*, thence was he Elected to the greatest of Earthly dignities, but by what method and by what means is not so clear and evident. *Eusgrius* delivers it for truth, that his advancement was altogether surprising and unexpected to himself, there being many and very worthy Persons allied to *Anastasius* still surviving, who were in a very flourishing condition, and seemed to be qualified with such circumstances as were wont to prefer men to the Imperial Diadem. At this time *Amantius*, a man very Potent, was *Præpositus Cubiculi* to the Emperour. He knowing well that no Eunuch could succeed his Master, and consequently that he himself was incapable, endeavoured by all means to advance *Theocritus* his intimate friend, and for this purpose sending for *Justin*, delivered to him a great sum of money to be distributed amongst such as had greatest power in the Election. *Justin* having got the money made his own markets with it, by purchasing the favour of the Guards, which having done and attained his end, he immediately made away *Amantius*, *Theocritus* and some others.

L. 4. c. 1, 2, 3.

77. Such is the Relation of *Eusgrius* with which some other accounts do not at all agree. *Baronius* acquaints us how from the Letters of *Justin*, written to *Hormisda* the *Roman* Bishop, it appears that he was created Emperour by the Nobility, Senate and Army, much contrary to his mind and inclination. Here we may call to mind how *Anastasius* was terrified in a dream, and diverted from his purpose of killing *Justin* and *Justinian* his Nephew, as was reported; which if true he may seem reserved and appointed by God for this Dignity in an extraordinary manner. By what way or what steps soever he mounted the Throne, he gave the people such satisfaction in his Government as obliterated the memory of his sinister and underhand actings, if such they were, as also the despicableness of his Birth and former condition. This he did chiefly by adhering to the Orthodox Faith, and restoring such as had suffered upon that account in the time of his Predecessour. Having hereby obliged the People so as to secure himself from Popular Tumults and Seditions, it seems he thought not yet his Estate sufficiently setled so long as *Amantius* and the rest continued in being. Therefore did he by one means or other make them away, having a double advantage by so doing. For he both prevented all Tumults and Dangers, which they might have procured him, and thereby it's thought he farther ingratiated himself with the Multitude, which hated them upon the account of Religion as having been the Instruments of *Anastasius*. Some say *Amantius*

How he secured himself.

Amantius and *Andreas* a Gentleman of his Chamber he caused to be beheaded: *Miscel* and *Ardabures* he banished to *Sardica*, and *Theocritus* the Minion of *Amantius*, on whom he purposed to confer the Empire, he caused to be beaten and stoned, and then cast into the Sea, thereby depriving him as well of Sepulture as of the Sovereignty, after which he had gaped.

Jornandes de Regn. & temporum successione.

78. In the year of our Lord DXIX *Justin* the Emperour assumed the Consulship; and took to him for Collegue *Eutharick* Surnamed *Cillica* the Son-in-Law of *Theodorich* King of *Italy*. He was now very much busied with Church matters, endeavouring to undoe and rectify what had been done amiss by his Predecessour. And not onely did he thus act in things purely Ecclesiastical, for one thing we find which had relation to civil Affairs. *Anastasius* had made a Law in his fourth Consulship, which he bore with *Agapitus*, whereby he gave leave to such as, having no legitimate Children, kept Women in the place of Wives, to hold the Children begotten of such Women as their own true Sons, in their paternal power, and legitimate, and to transfer upon them their Estates, either by Will, by Donation or any other ways known to the Laws, if so they pleased. If the Parents died Intestate, such Children should succeed them in their Inheritances, without any question or alteration to arise concerning them and the Kindred (*Agnati* or *Cognati*) or any others, upon any pretence or quirk of Laws or Constitutions. Notwithstanding, whoever should have such Woman in the place of a Wife, the Instruments of Dower being made, the same rule should be observed for his Issue, lest the liberty of acquiring his own Patrimony after a manner by his Children should be taken from him. Moreover Sons and Daughters adopted (properly arrogated) with the Prince his Licence should enjoy the benefit of this most provident Law, as he himself calls it.

A. D. 519. *Justino Aug. Eutharico Coss.*

L. 6. de Naturalibus liberis, &c. Cod. Just. lib. 5. tit. 27.

He restraints Incest.

79. From this Law *Justin* would have Children begot in Incest, to have no benefit. "And for the time to come he admonished all his Subjects to seek for "Off-spring in the way of lawfull Matrimony, declaring that unjust and libidi- "nous Conjunctions should find no pardon, as if the Constitution of *Anastasius* had "never been, which Piety moved him now to abrogate, and leave the former Laws in "force, so as no pretence of Adoption, no craft in procuring the Prince his Let- "ters should avail; forasmuch as fortresses were to be made for Vice, whereby it "should be lawfull to serve wantonness, and the Right and Name of a Father "which was indeed denied to such Persons should be pretended by the colour of a "Law. Afterward *Justinian* approved of this Constitution of his Uncle, for repealing the said Law of *Anastasius*, and prohibiting the Adoption of Natural Children, in that it contained much absurdity, and indiscreetly superinduced them as so many Strangers upon the legitimate. But such as had already received any benefit from that Act of *Anastasius* he did not design to deprive them of it.

L. 7. Ejusd. tit.

Novel 89. c. 7.

80. The year of our Lord DXX had for Consuls in the East *Vitalianus*, and in the West *Rusticus*. Of *Rusticus* who was created in the West, we hear no farther than that he was so honoured; but *Vitalianus* rendred the year remarkable, not onely for his Consulship, but the sad end he came to in the seventh month thereof, wherein he was dispatched in the Palace by seventeen wounds, together with *Clarianus* and *Paulus* his Abettors. *Baronius* improves this passage in *Marcellinus*, to shew how he was punished for his patronizing the *Eutychian* Monks against the Legates of the *Roman* Bishop. But *Eusgrius* fetcheth the matter higher, and ascribes his punishment to another sort of guilt. He writes that this *Vitalianus* who lived in *Thrace*, and indeavoured to depose *Anastasius*, was sent for by *Justin* to *Constantinople*; for he stood in fear of his power, and of Fortune which is wont to be doubtfull and uncertain in War, of the reputation he was in with all men, and the ardent desire he knew him to have after the Empire. And he rightly conjectured, that by no other means he should be able to bring him under but by a shew of friendship; and therefore composing his Countenance to deceit in a wonderfull manner, he designed him one of those Officers call'd *Præsentes*, and the more powerfully and effectually to overreach him, promoted him to the honour of the Consulship. Being made Consul, and conversant in the Palace, in a certain Gate behind the Court he was slain by treachery, and so received punishment for the wicked Acts he had so inconsiderately committed against the *Roman* Empire. Those Acts, doubtless, *Eusgrius* means, which he committed against the Government and Person of *Anastasius*. And yet *Baronius* his principles moved him to affirm, that for them he was to be highly commended, if what he did, he did not out of desire to Reign, but out of respect to true Religion. So that, saith he, it plainly was made to appear, that Things

A. D. 520. *Vitaliano & Rustico Coss.*

Vitalianus the Consul killed in the Palace.

lib. 4. c. 3.

Things rightly done, if they want a right Intention, are not wont to attain to a right end.

81. The year DXXI was remarkable for the Consulship of *Valrius* in the West, *A. D.* 521. and of *Justinian* the Nephew of the Emperour *Justin* in the East, who indeed rendred it remarkable. For surpassing in magnificence all other Consuls of the East, as *Marcellinus* notes, he exceeded so much in Consular liberality, that he conferred two hundred and eighty eight *Sesterces* of *Solidi* on the People, and upon the *Spectacula*. He exhibited on the Amphitheatre a shew of twenty Lions, and thirty Leopards, besides other Wild Beasts, at one time. He presented also a numerous sight of Horses adorned with their Riders in the Cirque, though he gratified not the mad multitude in all it desired. Upon this occasion *Baronius* observes, that though the bloudy *Spectacula* of the Gladiators were taken away, yet still such Shews were retained in the hunting of Wild Beasts, and fighting with them, inhumane practices, and much more unchristian; the Bodies of Christians being torn in pieces, for which Christ had shed his bloud. The following year was rather more famous for its Consuls, such a pair as these Ages seldom produced. These were *Symmachus* named in the East, and *Severinus Boëtius* for the West; of which *Boëtius* this probably was the third Consulship. For two Consulships of *Severinus Boëtius* are mentioned in the foregoing years, and they might be of the same person.

Justinian and *Valerius Coss.*

Justinian the Consul his great Shews.

82. About this time *Cabades* the King of *Persia* was much troubled in his mind, fearing innovation in his House after his decease. For upon his Sons he could not transfer the Succession without some question. His eldest, by name *Caoses*, had the legal claim, but him he could not endure, therein over-ruling both Nature and the ancient Constitutions of that Kingdom. His second Son *Zames* the Laws excluded, because he had lost an Eye, prohibiting a King to be made who had that or any other maim. He chiefly affected *Chosroes*, born of the Sister of *Apsemedes*; but seeing the *Persians* admire the valour of *Zames* as a good Souldier, and a favourer of Vertue, he feared lest taking Arms against *Chosroes*, they might ruine his Family and his Kingdom. Hereupon he resolved to make a Peace with the *Romans*, by procuring his Son *Chosroes* to be adopted by the Emperour *Justin*; and this he conceived to be the onely means to preserve the security of his Empire. To this purpose he dispatched Ambassadours to *Constantinople* with Letters to *Justin*. Therein he told him that He himself knew that the *Romans* had done the *Persians* wrong, which yet he was resolved not to urge; knowing that in reason those ought to have the victory, who being in the right are yet willingly put to the worst to gratifie their friends. But for this he must demand a favour; which would bind them two and their Subjects by Alliance, and consequently by good affection, and so for ever settle the blessings of Peace in their possession. This was, that he would adopt his Son *Chosroes*, who was to succeed him in his Kingdom, for his Son.

Procopius de bel. Persico, lib. 1.

Cabades the *Persian* King desires *Justin* to adopt his Son *Chosroes*.

83. *Justin* was glad of the proposition, and so was *Justinian* his Sisters son and successour designed, urging the speedy dispatch and drawing up of the Adoption after the *Roman* form. But *Proclus* the Assessour to the Emperour, whom the *Romans*, *Procopius* saith, called *Quæstor*, a known just man, not to be bribed, nor who hastily passed Edicts, or altered things setled, crossed it. He told the Emperour, that he did not use to meddle with Novelties, which of all things he feared most, knowing that they could not stand with safety. But had he been a very daring man, he thought he should have shrunk and trembled at the storm which was to be expected from such an Act. He said he could not perceive but the Consultation was to betray the Empire to the *Persians* with a fair pretence, who in plain words without disguise or modesty, now prayed them the *Romans* to let them take it from them, covering their gross deceit with simplicity, and their impudent proposal with a pretended desire of quietness. He told the Uncle and Nephew, that they had both need to oppose this design of the Barbarians to the utmost of their power; the one lest he should prove the last *Roman* Emperour, and the other New General, lest he should block up his own way to the Empire. Some tricks he added, covered with fair pretences, need an Interpreter to the common sort: But this Embassage bluntly at first dash would have this *Chosroes* Heir to the *Roman* Emperour. He bad them consider, that by nature the Estates of Fathers were due to children. All Laws though differing in other things yet in this agreeing both among *Romans* and Barbarians, so that yielding to their first request, the rest they must necessarily grant.

Justin at first likes the motion.

84. The Emperour and his Nephew approved of this Discourse, and consulted what was to be done. In the mean time came other Letters from *Cabades*, desiring *Justin* to send to him men of experience for concluding a Peace, and to signifie the form

But is dissuaded by *Proclus* the *Quæstor*.

form that was to be observed in the Adoption. Upon this *Proclus* more earnestly opposed the proposal of the *Persians*, and urged that they should rather adopt to themselves the *Roman* Power and Dominion, declaring it to be his opinion, that it was fit they should conclude a Peace as speedily as might be; and withall that some persons of eminence should be sent, who being demanded by *Cabades* in what manner the Adoption should be, should answer, as was fit for a Barbarian; for the Barbarians adopted Sons not by Writings, but by Arming them. Accordingly Ambassadours were sent by *Justin* with promise of some greater men to follow for consummating all toward the Peace, and concerning *Chosroes*; and shortly after were sent *Hypatius* a Patritian, Nephew to the late Emperour *Anastasius* and General of the East, and *Rufinus* Son of *Sylvanus* a principal Patritian, and one well known to *Cabades*. From the *Persians* came *Seoses* their most powerfull man, who had the chief Command over all Armies and Offices, and with him *Mebodes* Master of the Palace; these met upon the Frontiers and treated. And *Chosroes* came down to the *Tigris*, two days journey from *Nisibis*, that the Peace being concluded, he might go to *Constantinople*. Many discourses passed about their differences; amongst others, *Seoses* alledged that *Colchis*, afterward called *Lazica*, anciently belonged to the *Persians*, and that the *Romans* held it from them unjustly. On the other side, the *Romans* took it very ill that their title to *Lazica* should be questioned; and when they said that the Adoption must be performed in a manner fit for a Barbarian, the *Persians* thought it unsufferable: So they broke off and went severally home. And *Chosroes* returning to his Father vowed to revenge this affront upon the *Romans*.

Ambassadours on both sides about it.

The Commissioners differ and part.

85. The Ambassadours afterward accused one another. *Mebodes* accused *Seoses* for mentioning *Lazica* without having received any Instructions from their Master for so doing, purposely to break the Treaty, and for dealing therein first with *Hypatius*, who bearing the King least affection, crost the conclusion of the Peace and the Adoption. *Seoses* being charged with these and many other things, was called to a Trial before the *Persian* Senate, who all were displeased at his new Office, and offended at his behaviour. He was a man free from corruption, and very just, but extremely arrogant; which though a vice natural to the great Officers of *Persia*, yet in him they thought reigned in extremity. Besides what was now mentioned, his Accusers laid to his charge, that not contenting himself with the ancient customs of the *Persians*, he worshipped new Gods, and that lately he had buried his Wife, the *Persian* Laws prohibiting the burying of dead Bodies in the Earth. They condemned him to death, and it was executed upon him; for, *Cabades* would not pardon him, though he seemed to grieve as for a friend, professing that he himself was not offended at him, but he must not infringe the Laws. Indeed he owed his life to *Seoses* who contributed most to his living and Reigning. But, his Office as it began so it ended with him, none after him having the like general power over all Offices and Armies. *Rufinus* also accused *Hypatius* to the Emperour, who upon it discharged him of his Office. He caused also to be tortured some about him, but finding no truth in the accusation, he did no other harm unto him.

They accuse one another.

Seoses the *Persian* put to death

Hypatius the *Roman* discharged of his Employment.

86. *Cabades* then burned with a desire to invade the *Romans*, but found this impediment to his design. The *Iberians* of *Asia*, who were seated by the *Caspian* Gates to the Southward, had next them to the West *Lazica*, and to the East part of *Persia*. These people were Christians as devout as any, and had always been subject to the King of *Persia*. These *Cabades* would needs force from their Religion, writing a command to *Gurgenes* their King, to doe all things as the *Persians* did, and not to bury their dead Bodies in the Earth, but to cast them out to the Dogs and Fowles. Hereupon *Gurgenes* revolted to the Emperour *Justin*, and desired assurance from him that he would not leave him to the mercy of the *Persians*. He willingly granted his request, and sent *Probus* the Sisters Son of *Anastasius* late Emperour, a Patritian, with Money to raise an Army of *Hunnes* for his Assistence. *Probus* returned without doing any thing, and then the Emperour sent *Peter* as General into *Lazica* with some *Hunnes* to aid *Gurgenes*; at which time also *Cabades* sent an Army against him, under the command of *Boes* a *Persian*, the General of his Forces. *Gurgenes* found the *Roman* Succours not competent, and himself too weak for the *Persians*, and thereupon he fled into *Lazica* with his Wife and Children, the chief men of *Iberia* and his Brothers, whereof *Peranius* was the eldest. In the confines of *Lazica* he staid, and fortified himself in the Fastnesses, which hindred the *Persians* that pursued him, from doing any thing to purpose. Afterward some *Iberians* came to *Constantinople*, and *Peter* was called home.

Gurgenes King of the *Iberians* revolts to *Justin*.

The *Lazians* also refusing to help to guard the Province; the Emperour sent an Army commanded by *Irenæus*.

87. Formerly the guard of two Forts at the entrance of *Lazica* from *Iberia* was carefully maintained by the Provincials, though they endured much. For no Corn nor Wine grew near, nor other commodity; nor, for the Fastnesses, could be brought thither, but upon mens backs, and they lived, being used to it, upon *Panicum* or Mill-seed there growing. But the Emperour now took thence those Warders, and put *Roman* Garisons to keep those places, and them at first the *Lazians* supplied with Provisions, though hardly; but after they refused the service, and the *Romans* thereupon abandoning the Forts, the *Persians* seized on them. In the mean time the *Romans*, under conduct of *Sittas* and *Belisarius*, invaded *Persarmenia*, and having foraged much of the Countrey, and taken many Prisoners, retired. They were then but youths, their beards springing, and Lanciers of the Guard to *Justinian* the chief General, who soon after held the Empire with his Uncle *Justin*. Another inroad *Sittas* and *Belisarius* made into *Armenia*, and were suddenly met and put to the worst by *Narses* and *Aratius*, who not long after revolted to the *Romans*, and served under *Belisarius* in *Italy*. *Licelarius* also a *Thracian* made an Invasion about *Nisibis* with another Army of *Romans*, but they retreated or ran away, none charging them. Thereupon the Emperour discharged *Licelarius*, and gave to *Belisarius* the Command of the Forces in *Daras*, and then was *Procopius* Writer of the History chosen his Counsellor or Assessor. Shortly after, *Justin* died, having before declared *Justinian* his Sisters Son Emperour with him. These things thus falling out betwixt the *Romans* and *Persians* in the time of *Justin*, we thought convenient to relate altogether, and then to continue our survey of the other year remaining of this Emperour's Reign.

Expeditions of the *Romans* into the *Persian* Dominions.

88. The year of our Lord DXXIII had *Maximus* Consul alone in the West. *A. D. 523.* Some wonder it is that we have no certainty of any one named at *Constantinople*; *Maximo Cons.* for leisure enough they had there, for any thing we can perceive to have been transacted by them of Civil concernment; but this Dignity began now to dwindle so much, that in a short time it was quite extinct. The year following, being the DXXIV of our Saviour, had for Consuls *Justin* himself the second time, and *Opilio*, such an one by name as he had formerly been by Trade and profession. *Justin* as he had formerly been kind to the Advocates of the Treasury, in restoring to them their Salary given them at first by *Zeno* and taken away by *Anastasius*, so this year was favourable to the Advocates pleading in the Court of the Prefect of the City, defining their number of Eighty, and confirming to them their Priviledges; but withall regulating their time, and restraining their absence; as he forbad the Advocates of the Treasury should be preferred *per saltum*, the person of *Menander* onely excepted. What concerned the Advocates was afterwards extended to those that served in the *Forum* of the Prefect of *Illyricum* by *Justinian*. Besides what concerned Advocates, we find that this year *Justin* Enacted something he found wanting in the matter of Testaments, as he had done three years before. Of what he did we shall give an account altogether.

The Consulship almost dwindled to nothing.

Justin kind to Advocates.

L. 1. 6. 7. 8. 9. de Advocatis diversorum Judicum, Cod. Just. lib. 2. tit. 8.

89. It had formerly been a question, Whether a blind man could make a Testament, because of his imperfection; at length it was resolved he might, because, as *Paulus* saith, he could call Witnesses together, and hear such as would bear him testimony. The Law for the like reason permitted such an one both to adopt and be adopted, much more to manage his own Estate, insomuch that a *Curator* was not wont to be assigned a blind man, but he himself might make a *Procurator* for the management of his business. Now *Justin* thought fit farther to Ordain, that a blind man whether so born, or by disease or accident, might make a Testament by Nuncupation; provided there were present a *Tabularius*, and seven Witnesses, which the Law required in other Testaments. The way and method he prescribes is not so proper here to be inserted; but this liberty thus given, *Leo* one of his Successors thought not large enough, but gave to blind persons leave to make Wills secretly as other persons did. By another Edict bearing date of the latter end of *November*, "*Justin* was pleased to confirm such Constitutions as had been "made by former Emperours, that the last Wills and Testaments of persons dying "in *Constantinople*, should be proved or insinuated onely in the Office of the "*Magister Census*, and there recorded in the publick Monuments. That where the "inheritance exceeded not an hundred Acres, neither the *Magistri* nor their Officers "should dare to take any Fees or Reward for the Insinuation of them. He admo- "nisheth not onely the Judges of Tribunals, but the Defensors of Churches also, "among whom a most filthy sort of Intimation had crept, that they meddle not "with

Sentent. lib. 3. c. 4.

L. 8. Qui Testam. facere possunt. Cod. Just. lib. 6. tit. 22.

Grants to blind Persons Power to make Nuncupative Wills.

Novel. 69.

Declares the Insinuation of Testaments to be onely in the *Magister Census*.

L. 23. de Testamentis, Cod. Just. lib. 6. tit. 23. Dat. 13. Kal. Decembr.

"with that which onely belonged by Law to the *Magister Census*; affirming it "absurd, that Employments should be disturbed by promiscuous Acts, that one "should steal from another, and especially Clerks, to whom he saith it is a shame "to pretend themselves skilfull in the disputes of Courts. The breakers of this "his Sanction, he punishes with a Fine of fifty pounds of Gold. And he adds, that "it is not to be permitted that the last Wills and Testaments of the dying, should "be rendred any-whit invalid by any improper Insinuations, while such as are "improper for that work boldly usurp the practice of it. But what this and other former Constitutions enjoyn concerning the *Magister Census* in *Constantinople*, was in the Provinces performed by the Presidents, Magistrates, or Defensors. Afterward in the time of *Leo* it was committed to the *Quæstor*. But it will not be amiss here to acquaint the Reader with the ancient form of Insinuation of Testaments before the Defensors and the *Curiæ* of Cities.

Et præcipue Clericis, quibus opprobrium est, si pervitos se velint disceptationum foro insimulent.

The form of Insinuations.

90. Such a year and such a day the Defensor and all the Court of that City being present, *Titius* that followed the business, said; *I desire of you most worthy* (Optime) *Defensor, and you the laudable Curiales and Municipes, that you command the publick Records to be laid open to me, for I have some things in mine hands which I desire may be roborated by the Allegation of those publick Acts.* The Defensor then and *Curiales* said, *The publick Books are open to thee, proceed according to thine own desire.* He then replied, Gaius *an illustrious person hath employed me to insinuate his Testament amongst the Municipal Acts as the Custome is.* Then said the Defensor, *The Mandate we have heard, but we must also hear the Testament which thou sayest thou hast in thine hands, and then it shall be confirmed by publick Acts as thou requirest.* After the reading of the Testament, the Defensor and the *Curiales* said, *Let this Testament now recited be put amongst the publick Acts.* After this said, the Party implyed; *Most worthy Defensor, I farther desire that the Gests may be publickly delivered to me.* The Defensor and Order of the Court answered, *Forasmuch as the Testament and Mandate are rightly made, and we have found them confirmed by the hands of honest men subscribing, it is fitting that the Gests when they are subscribed by us, and published by the Amanuensis, be delivered to thee as the manner is, and at length be preserved in the publick Acts.* In like manner were Donations or Deeds of Gift recorded, in the publick Registers.

Vide Notas in h. l.

How Testaments were opened after the death of Testators.

91. Thus we see Testaments were opened in the life time of the Testators, that they might be registred, and so firm belief might be given to them, if so the Testator pleased. They were again opened publickly after the death of them that made them, that so they might be known to Heirs, (or Executors) Legataries, those that had Trusts, Slaves manumitted, the Treasury to which the twentieth part was due, and others therein concerned. They were opened in the presence of Witnesses or honest Persons, by those that were present within three or five days, and by the absent within the like space of time after their coming to those places. The Witnesses or the greatest part of them that had signed the Testament were there. They having owned their Seals, the thread was broken, the Testament was opened and read, and a Copy of it was permitted to be taken, and then it was closed with a publick Seal, and committed to the *Archives*; that if the Copy were lost, the loss might thence again be supplied. Afterward it was read, the same Persons of repute being present in the *Forum* or the *Basilica* between the hours of Eight and Four. But to our matter.

Vide Not. ad L. 2. Quemadmodum Testamenta, &c. Cod. Just. lib. 6. tit. 32.

92. The year of our Lord, DXXV. had *Probinus* (some have it *Probus*) and *Philoxenus* for Consuls, it being the Eighth of *Justin* the Emperour: little we have of Civil concernment managed this year by our Emperour; who most employed himself in things relating to Religion. His zeal for the Catholick Faith carried him so far as to take the Churches from the *Arians*, which endangered the breeding of very ill bloud between him and *Theodorich* King of *Italy*. For, he being of that perswasion caused the Bishop of *Rome* himself accompanied by *Theodorus*, *Importunus* and *Agapetus* Senatours, and Exconsuls, and another *Agapetus* a Patrician to undertake an Embassy to the Emperour. Their instructions were to obtain a revocation of the Edicts made against those Hereticks, otherwise he threatned to deal as severely with such Orthodox Christians as had their Abode in his Dominions. How *John* the Bishop behaved himself in this Employment, and what his Entertainment was it will be more pertinent to declare upon another occasion, as also that he was at his return cast into prison and so hardly treated that therein he died not long after. But we are told that while he remained at *Constantinople*, he Crowned *Justin*; not but that this ceremony had been formerly performed, but the Emperour would have it again performed out of piety by the Successour of St. *Peter*,

A. D. 525. Probino & Philoxeno Coss.

Stirs about Religion betwixt *Justin* and *Theodorich*.

whom he was overjoyed to see within his Dominions. So *Baronius* and others deliver the story, who also observe (and in this justice doth not contradict them) that the City of *Antioch* having been prostituted to Hereticks, and become the *Asylum*, first of *Nestorius* and *Nestorians*, afterwards of *Eutychians*, and *Theopaschites*, now received double for her sins, and drank deep of the cup of God's wrath. It belongs not to us to assign such a cause; but for the calamity that *Antioch* underwent at this time, it ought not to escape our observation. *Ad h. Ann. & Seq.*

Grevious Calamities at *Antioch.*

93. About the time that *John* the Bishop of *Rome* was employed in the message before related, a most dreadfull Earthquake happened at *Antioch*, which as *Euagrius* writes, had been ushered in with frequent and grievous fires, and was attended by other great calamities. In the Seventh year of *Justin*, he saith, though *Baronius* from *Marcellinus* refers it to this, in the tenth month, or *Artemisius*, by the *Romans* called *May*, on the nine and twentieth, being Friday, at noon time of the day, (*Marcellinus* saith just at dinner time) fell out such a ratling, quivering and shaking of the Foundations, as in a manner overturned the whole City. After it, came Fire again, which joyning as it were in a league offensive with the other calamities almost made an end of all. For what the Earthquake did not destroy, on that did the Fire prey; and after the raising of most dreadfull flames, consume to ashes. What parts of the City were consumed, how many men perished both by Fire and the fall of Houses, and what mischief happened, so strange that no Style could sufficiently describe them, *John* the Rhetorician (he tells us) set forth with lamentation in his History, which concluding with this fire could not but move the passions of the Reader in an extraordinary manner. And for a conclusion, and which was another calamity to this City, *Euphrasius* the Bishop perished in the ruines, that none might be left to provide necessaries for the City. *Euagrius lib. 4. c. 5. 6.*

94. And yet, as he himself observes, the carefull and loving Providence of God towards Mankind, which is wont before the arrival of a Plague or punishment to provide a remedy; to blunt the sword of wrath with clemency, and when things grow to a desperate point, to set wide open the fountain of mercy, raised up *Euphrasius* Prefect of the East to take care of *Antioch*, so as nothing necessary (afterwards it seems) should be wanting to it. This the Citizens took so well, as reverencing the man for his Zeal and Charity they made choice of him for their Bishop, and he obtained *the Apostolical See* as a reward of his forecast. Again after two years and five months *Antioch* was shaken with Earthquakes, and then for *Antioch* it was called *Theopolis*, obtaining also more effects of the Emperour's care and vigilancy. Indeed others give Testimony of the Christian compassion shewed by *Justin* upon occasion of the former Earthquake; how he received the news with grief and astonishment, put off his Purple, laid aside his Diadem, clothed himself with Sackcloth and sate solitary in Ashes many days together; and afterward relieved the distressed *Antiochians* with all necessaries to his great charge and trouble. But it appears farther from *Euagrius* that he had several other objects of his pity and compassion, of this very sect, these Calamities being frequent in his time. For *Dyrrachium* of old called *Epidamnus* was sorely shaken also with a trembling of the Earth. So was *Corinth* in *Greece*, and *Anazarbus* the principal City of *Cilicia* the lesser, which underwent that calamity now the fourth time: which Cities *Justin* repaired not without the expence of vast sums of money. About the same time *Edessa*, that most ample and happy City of the *Osroeni* as he calls it, was defaced by the overflowing of the River *Seirtus* which ran by its side, so that many Houses were carried away by the violence of the Waters, and an infinite number of men was drowned. Both *Edessa* and *Anazarbus* received a new name from *Justin*, being each of them called *Justinopolis*. Καὶ ἡ Ἀντιόχου πόλις λαμπρὸν ἔσχον. *c. 8.* And other places

95. The DXXVI year of our Lord was marked with the sole Consulship of *Olybrius*. This year is famous for little transacted by *Justin*, except this be to be taken notice of, that growing toward the end of his own life, he was moved to Enact something in favour of the deceased. By the practices of some Persons he was constrained to declare, "That it was unjust, and a thing strange in those times, "to offer injury to the Reliques of the Dead by them who pretending the Party "deceased was their Debtor, and to Exact their Debt, hindred his Burial: That "for the time to come no such injury might proceed, he now took order, impofing "a Fine of fifty pounds of Gold upon one that should be found guilty of such wickedness, or if he was not able to pay it, he should undergo Corporal punishment "at the award of a competent Judge. This humanity towards the Dead, his Nephew afterwards extended to the Dying, Ordaining that if any going to the house of a dying person should molest him or others belonging to him, or not observing a legal proceeding should mark or seal any of his Goods, such an one should lose his Action *A. D. 526. Olybrii Conf.* *L. ult. de Sepulchro violato, Cod. Just. lib. 9. tit. 19.* *Novel. Just. 60. c. 1.*

Action after the Parties death, the Executors or Heirs of the deceased should recover as much of him; he should forfeit the third part of his Estate, and be noted with infamy. The same punishment should he incurr who should hinder the Funeral. Nay he decreed that before Nine days, to be reckoned from the death of the deceased, no molestation should be offered to any belonging to his person, otherwise such Action should be invalid and ineffectual, after those days of mourning, no damage yet hereby coming to the Creditour by reason of the stay of the Nine days. *Novel. 115. c. 5.*

Justinian promoted to the Empire.

96. The DXXVII of our Saviour had *Mavortius* for Consul without a Collegue. This year was famous for *Justin* his taking *Justinian* to be his Partner in the Empire. This *Justinian* was the Son of *Sabatius* (by the *Illyrians* called *Istokus*) and of *Biglenitza* the Sister of *Justin*, which Woman the *Romans*, by reason of the likeness of the sound, termed *Vigilantia*. By his Countrey-men the *Illyrians* he was called *Uprando*, or *Right Justice*, to express the signification of his Latin name. He was born at *Taurisium*, and educated at *Bederina* the native place of *Justin*, Towns situate in the Borders of *Illyricum* near to *Thrace*, upon which account by later Writers he is called a *Thracian*, it being ordinary when Cities are so placed to be reckoned by several Authours as members of both Provinces, especially it being observable, that the Partitions of Provinces are not the same in all Geographers and Historians. Hereupon *Justinian* himself in his ninth Novel, placeth *Justiniana prima*, and *Bederina*, in *Pannonia Secunda*: When a Youth, he was sent an Hostage to *Ravenna* to *Theodorich* King of the *Goths* by *Justin* his Uncle then General of the Army. He began to learn the Military Art at the beginning of his Uncle's Reign, who about this time adopted him, and gave him the title of *Nobilissimus*. *Vitalianus* being slain in the Palace, in the place called *Delphicum*; by his Faction it's said, and some say by his procurement, he was made Captain General of the *Roman* Legions in his room. Now when *Justin* had reigned eight years, nine months and three days, as *Euagrius* punctually observes, he began to Reign with him, and he received the Title on the first day of the month *Xanthicus*, or of *April*. *A. D. 527. Mavortii Conf.* *Vide Notas in Procopii Secretam Historiam.*

In what Sense.

97. But what the Title was doth not so clearly appear, whether that of *Augustus* or of *Cæsar* onely, betwixt which there was a vast difference, as may be seen by what we have said in the preceding Volume. Some Writers say he created him *Cæsar*, and some that this day *he designed him his Successor* in the Empire, which words rather make out to us that he was *Cæsar* not *Augustus*, or the complete Collegue of the Emperour, though Writers generally speak of his making him his Partner, which might be in such sense as we have formerly related; though *Cæsar* as such was a Subject, and we have heard how as a Subject, and even as an Apparitor or servant, *Diocletian* made one of them run by his Chariot. As Polities and Governments with time decay and alter, the *Cæsar* possibly at this time might be in greater Authority than formerly. But let us from Historians betake us to our Law Books, without which, lame Histories must be written both of this and other times. And so it happens that after this his Promotion we find a Constitution still extant in his *Code*, bearing the name both of him and his Uncle: The Contents of it we may declare afterward. It was first restored out of the *Basilica* by *Cujacius*, and as now it is placed in the *Code* being translated into Latin, the Publishers of the Book have prefixed this Inscription *Impp. Justinus & Justinianus A. A.* and not without reason. For though from the Greek it self no such thing appears, as either that *Justinian* was now *Augustus* or indeed joyned with his Uncle in the making of the Edict, yet from another Novel Constitution he made upon this Subject it is evident that he was joyned with him. The matter was this. *L. 2. de Mandatis Principum, Cod. Just. lib. 1. tit. 15.*

98. Because much inconvenience happened in the Provinces through the impudence of Persons who pretended to have secret Instructions or Mandates from the Emperour, a Law had been made in the time of *Gratian*, *Valentinian* and *Theodosius*, which forbad that any credit should be given to any such pretended Instructions or Mandates, except exhibited in Writing, and the Prince his Letters appeared, be the Messengers of what dignity they would, whether making a shew of the dignity of *Tribune*, *Notary* or *Comes*. After this another Constitution was made, or that which *Cujacius* restored out of the *Basilica*, and repeats in a manner the same thing, lest Judges should mention in their Sentences that the Emperour had commanded by word of mouth, that such an one should be brought into Judgment, or some Sentence be given, which should be divers from what was wont to be. For the Mandates of Princes so far bind, as they are reduced into Writings or Letters; but this Constitution excepts when the Emperour Assigns an Assessour or Assistant to a Judge, *Vide Cujac. Obs. lib. 12. c. 31.* *L. 1. 1. 2. de Mandatis Principum, Cod. Just. lib. 1. tit. 15.*

Judge, or commands a Sentence to be rightly given. In such cases they might mention that they had such mandate from the Prince his mouth, or else from the most glorious *Quæstor* of his Palace, or some of the *Spectabiles*, the *Referendarii*, and obedience was to be given to such Mandates without writing. Now in a Novel Constitution made some thirteen years after, *Justinian* expreſly makes mention of a Law as well of his Father of pious memory, as of his own Tranquillity; (such was the phraſe uſed at this time,) which diſpoſed that Judges ſhould by no means write in their Sentences, as if it had been commanded them by word of mouth from the Emperour and not written, to bring forth certain Perſons into Judgment, and to the ſame purpoſe as before. Now though the Names of *Cæſars*, as we have ſeen, were added to thoſe of the Emperours in the Inſcriptions of Laws, yet it was with the Diſtinction of *Cæſars*, and ſuch as had not Sovereign Authority had not legiſlative power, though to grace and honour them this was done. *Novel.* 124. *c.* 4.

He was made *Auguſtus.*

But *Juſtinian* makes this Law as much his as his (adoptive) Father *Juſtin*'s. And to confirm this our opinion that he was made *Auguſtus* and not *Cæſar*; *Baronius* hath exhibited the Image of a Coin, to be ſeen in his Annals, wherein are both the Emperours expreſſed in ſhape, both adorned with Diadems, with an Inſcription of three *Auguſti*, by which he ſaith its certain that *Juſtin*, *Juſtinian* and *Theodora* his Empreſs are deſigned. If ſo, ſome late Writers though very learned ought to have been more accurate than to ſay he was created *Cæſar*, betwixt which Title and that of *Auguſtus* there was ſo great a difference. *Ad h. A.*

99. But the Title though he had with the uſual Concomitants and Effects, how he came by it is not fully agreed. The pretended ſecret Hiſtory of *Procopius* makes him to have affected the Empire, to have Exerciſed a Tyranny, covering violence with a ſhew of doing buſineſs. Affirms that they ſaluted him King or Emperour together with his Uncle, if it was legally done; for the Senate by fear and threats were drawn into that Suffrage. Another writes that *Juſtin* the Emperour made *Juſtinian* his *Cæſar* Nephew, at the ſupplication of the Senate, he being unwilling to doe it. But others ſay that all the Senate approved of the thing, and *Zonaras* tells this ſtory how it was performed. The cheif of the Senate deſiring the Emperour that he would take *Juſtinian* for his Collegue, he took hold of the Purple and told them they had reaſon to deſire that no younger Perſon ſhould have that come on his Back; and at that time he rejected their Petition. However, after ſome little time they decreed the Title of *Nobiliſſimus* to *Juſtinian*, and obtained of the Emperour a confirmation of their Decree by his Letters. Not long after, the Emperour falling ill of a wound in his thigh, and being in danger called *Epiphanius* the Patriarch and the cheif of the Nobility to him, declared *Juſtinian* his Nephew Emperour, and ſet the Diadem on his Head with his own Hands. The People being aſſembled in the Cirque, *Juſtinian* made his Entry with the Diadem, and was received with lucky acclamations by all, and returned to the Palace being at that time forty five years old. Preſently after his Wife *Theodora* was declared Empreſs, and not long it was before *Juſtin* died when he had Reigned Nine years and twenty days. Thus much *Zonaras*, who might be miſtaken as to the time of making him *Nobiliſſimus*. To this *Cedrenus* adds that as ſoon as he was made Emperour, he gave away all his private Eſtate to the Churches of the Holy Apoſtles and of the Holy Martyrs *Sergius* and *Bacchus* whom he much reverenced.

Vide Notas ad Procopii Arcanam Hiſtoriam & Baronium ad h. A.

Poſt. Conſulatum a Juſtini & Appione, Juſtinus Aug. Juſtinianum nepotem ſuum, ad ſenatorum ſupplicationem invitus Cæſarem facit.

Victor Tunnunenſis in Chron. p. 37. Edit. Joſ. Scaligeri 1600.

100. *Juſtin* having promoted thus his Nephew, whether to the good liking of himſelf and the Senate or not, died of an old wound he had received in Battel by the ſhot of an Arrow, (in his Foot ſay ſome, or as others in his thigh) four months after, about the firſt of *Auguſt*, having Reigned nine years, one month, and three days; and lived ſeventy ſeven. A mark of extraordinary Fortune, which wrought ſo wonderfully, that from a Keeper of Cattel, he ſhould riſe to be a Commander of men, firſt of Souldiers, then of the Pretorian Guards, and at laſt of all men within the *Roman* World, having eſcaped two Impriſonments. Yet was he *Analphabetus* as the *Greeks* termed him, or one who could not read, or knew no Letters, which had not happened to the *Romans* before in the opinion of the Authour of the ſecret Hiſtory aſcribed to *Procopius*. Whereas the Emperour, he ſaith, was wont when he ordained any thing to add to the Paper the Letters of his Name, he could neither ordain, nor was able to doe buſineſs, but *Proclus* who executed the Office of *Quæſtor*, and was his Aſſeſſour governed as he pleaſed. But that there might remain ſome ſhew of the Emperour's Hand, he that waited or the cheif Secretary (who from that thing formed to the ſhape of a little Dog, wherein the Ink was contained had the Title of a *Caniculo*) found out a way. They ingraved in

in a poliſht peice of wood the form of four Latin Letters, which being laid on a Paper, a pen dipped in the purple Ink with which Emperours were wont to write, was put into *Juſtin*'s Hand, which thoſe about holding ſtirred it about and drew the pen through thoſe clifts of the wood or forms of Letters, and ſo carried away their Writings ſigned.

101. This Invention by ingraving onely four Letters in the Table or piece of wood, did not onely provide for the Convenience of *Juſtin*, but retained the ancient cuſtome of the *Romans*, who, as *Alamannus* obſerves from *Plutarch*, were not wont to write their *Prænomina* out in length, but either one ſingle Letter of it, as *N. T. L.* or two as *C. N.* or three as *Sex. Ser. Juſtinian* afterward, as he gathers from *Corippus* the Poet, uſed the ſingle Letter *I.* to denote his Name; but theſe cuſtoms were a little after intermitted, when the Eaſtern Emperours put down their whole Names to Writings and Inſtruments, but Women in certain ſecret knots and foldings of the Letters, as appears by their ancient *Diplomata*, and otherwiſe, which our men at this day imitate upon their Coaches. Concerning the *Eucauſum* or purple Ink made of the Fiſh *Murex* we have formerly ſpoken. The Perſon who attended at it, and from the ſhape of the Standiſh wherein it was kept, had the Title of a *Caniculo* was uſually of the King's bloud, and his Dignity and Authority were very great. To return to *Juſtin*, who is ſaid to have been very ignorant and blockiſh, his Marriage if poſſible was lower than his firſt condition. The Name of his Wife was *Lupilina* or *Lupilia*, derived it ſeems from *Lupa*, by which the vileſt Strumpet was wont to be called. This ſhe brought not with her to Court, for her Husband and the People of *Conſtantinople* when ſhe came to be Empreſs changed it for that of *Euphemia*. As ſhe was Barbarous ſhe is ſaid to have been very ignorant and unpoliſht; but having taken the Name of the Martyr *Euphemia*, ſhe built a magnificent Church at *Conſtantinople*, and dedicated it to her, wherein ſhe placed her own Statue. *Vide Alamannum in Notis.*

102. We find *Juſtin* by this time dead, but yet have not done with him, for there being ſome Laws of his making extant without day or Conſul, they cannot properly be placed in any one year of his Reign, and therefore are to be ſpoken of in groſs when his Reign is out; we mean ſuch of them as illuſtrate the *Jus publicum*, and ſhew the manner of Adminiſtration in his time. He was a Souldier, and though otherwiſe ſaid to be dull and heavy, yet might ſufficiently underſtand what were Clogs and Incumbrances of the Military profeſſion. Yet did not he find out one certain particular of theſe miſcheifs which was too prevalent in his time, till the common obſervation preſented it to his view, as ſhould ſeem by the remedy he preſcribed, which is not directed to any one private man, but to the Senate it ſelf. In a certain Law or Oration thus directed, he takes notice of it as manifeſt, that his Predeceſſours had enacted many things concerning Souldiers, who undertook to manage Eſtates under the Title of Hiring; but ſo little were they regarded, that ſuch Souldiers forgetfull of the puniſhment threatned, dared to undertake ſuch ſordid Employments, and neglecting their care for the Publick, and their Victorious Standards, haſted to turn Tenants to other men, and converted the ſharpneſs of their Weapons not againſt their Enemies, but to miſuſe their Neighbours, and perhaps the miſerable Husbandmen they had undertaken to manage. Wherefore he was conſtrained to betake himſelf to the making of another Conſtitution, more deeply and fully to remove the Cauſe. He Commands therefore all that bear Arms, or Souldiers both of greater and leſſer Rank for the time to come, to abſtain from all hiring of other mens Eſtates. And by Souldiers he ſaith he means as well thoſe who ſerved under the High *Magiſtri Militum*, as them who were inrolled in the eleven moſt denote *Scholæ*, as alſo ſuch as under divers Options were graced with the Name of Confederates. Such ſhall know, that upon ſuch Contract they ſhall *ipſo facto*, without any ſentence given, forfeit their Military Employment, without poſſibility of being reſtored to their former Degree, either by the Emperours Indulgence, or by conſent or permiſſion of the Judge, under whom they undertook to diſcharge the Duty; that ſo by ſuch new undertaking they may not looſe their eſteem, being from Souldiers rendred *Pagani*, and Infamous from men of repute; and that after ſuch turning Tenants, which he abſolutely forbids, what they had received from the Publick they be compelled to reſtore without all delay. In concluſion, ſuch as let their Eſtates out to Souldiers, ſhould be deprived of all help to recover them into their own Hands again. There are other Laws bearing his Name without Day or Conſul, which relating to Marriage are to be conſidered of diligently in the place proper to the Character and Marriage of *Juſtinian* his Nephew and Succeſſour.

CHAP.

CHAP. II.

Containing the long and active Reign of Juſtinian *the Great.*

The ſpace of Eight and thirty years, three months and thirteen days.

SECT. I.

Containing his Wars eſpecially.

1. JUSTINIAN was advanced to the Imperial Dignity, being as ſome write forty five years old, in the ſecond year of *Athalrick* King of *Italy*, the ſecond of *Felix* the Fourth, the *Roman* Biſhop, fifty years after the Deſtruction of the Empire in the Weſt, and the fall of *Auguſtulus*, the DXXVII of the ordinary *Æra* of Chriſt, in the ſole Conſulſhip of *Mavortius*.

2. Having vaſt deſigns in his Head, he took at his firſt Eſtabliſhment a right courſe to attain unto them. He began with the Service of his Maker, by directing his Subjects into the right way to know and ſerve him, by ſuppreſſing ſuch as would lead them out of the way into the by-paths of Hereſie, and by ſeveral Acts of Charity and Royal Bounty, as our Eccleſiaſtical Writers obſerve, though they had no real kindneſs for him. His vaſt deſigns were of all ſorts which a Prince is capable of cheriſhing, extending both to the ſecurity and imbelliſhment of the Empire he received from his Anceſtours, and to the inlargement of it by recovering what had been loſt by his Predeceſſours. The former part he performed both by his Sword and his Pen, by oppoſing its Enemies and modelling the Laws; and the latter by a vigorous aſſerting of his Right, for ſo he eſteemed it, to the members which lately had been Provinces; and though they were now become Barbarous Kingdoms, yet he thought the Pretenders to them could not plead ſuch Preſcription, as to invalidate his ancient Title, if his Arms could but procure him a reentry. How all theſe things he diſcharged, with other matters, is to be ſhewn in due method and place. And firſt, e'er his Uncle was well cold in his Grave, and he himſelf warm in his Seat, he found himſelf concerned to curb the Inſolence of his Neighbours, for ſuch he eſteemed the *Perſians*, but grudged to vouchſafe the Title to ſuch Barbarians as had ſet up for themſelves in the *Roman* Soil. The times requiring that much now ſhould be ſaid of the Tranſactions of the *Perſians* with the *Romans*, it may be very convenient to fetch their matters higher, to give an account of the Succeſſion of their Kings, and of ſuch actions as either have been omitted, or onely touched at in the Relation of *Roman* Affairs. For the Dignity of this Kingdom requires that it ſhould here alſo have a place by it ſelf, if we were furniſhed, beſides the Succeſſion of Kings, with any conſiderable bulk of Hiſtory relating merely to it ſelf, and not as conjoyn'd and interwoven with the occurrences of the *Roman* Empire. Forasmuch as ſince the Conqueſt of *Alexander* the *Great*, and the fall of their Empire with *Darius*, their Affairs have been ſcatteringly related, we ſhall now take the opportunity to preſent the Reader with a view of them. But firſt, it will be requiſite to give an account of the Dominion of the *Parthians*, who not long after the death of *Alexander* became their Maſters; and becauſe the Kingdom of *Perſians* and *Parthians* may by thoſe that heed not well be confounded together, a clear diſtinction is neceſſary to be made of them.

3. It muſt be obſerved that the *Perſians* being caſt down from the grandeur of Empire and Sovereignty by *Alexander* and his *Macedonians*, were firſt ſubject to his Succeſſours, and then for a long time Slaves to the *Parthians*. The *Parthians* were a Baniſhed Company of *Scythians*; for in the *Scythian* Language, the very word is ſaid to ſignify ſo much; and during the Empire of the *Aſſyrians* and *Medes* were moſt obſcure. When the *Perſians* arrived at the ſupreme power of the *Eaſt*, they were but an abject People, becoming a Prey to the Conquerour. They ſerved the *Macedonians* in the like ſort, as long as they deſired they ſhould; but when after

Perſians Slaves to the *Parthians*.

Parthians who.

Vide Onuphrium de Imperio Romano, p. 257.

Sect. 1.

after *Alexander's* death his Empire came to be divided, none of his Captains would accept of them, and ſo they were delivered as Booty to *Satagenes* a Stranger Aſſociate. But the Captains falling into Civil Wars, they together with the reſt of the Nations of the upper *Aſia*, followed *Eumenes*, and he being overcome, went over to *Antigonus*, after whom they came into the Hands of *Seleucus Nicanor*, and afterwards of *Antiochus* and his Succeſſours; from whoſe great Grandſon *Seleucus* they firſt revolted, at what time the firſt *Punick* War depended. *C. Attilius Regulus* and *L. Manlius Vulſo* both, the ſecond time, being Conſuls; in the year of *Rome* DIIII. The Diſcord of the two Brothers about the Kingdom, *viz.* of *Seleucus* and *Antiochus*, gave them the advantage and opportunity who mutually ſtriving to diſpoſſeſs each other, regarded not this People which by falling off, diminiſhed what they ſtrove about.

Revolt from *Seleucus* when and upon what occaſion.

4. The Authour and Procurer of the Revolt was one *Arſaces*, a man as of uncertain Original, ſo of manifeſt Valour, who being accuſtomed to live by violence and robbing, and believing that *Seleucus* was overthrown in *Aſia*, without fear of the King's power, with a Number of Robbers entred *Parthia*, and killing *Andragoras* the Governour made himſelf Maſter of the Nation. Not long after he ſeized on the Kingdom of the *Hyrcanians*, and entred into League and Society with *Theodotus* King of a thouſand *Bactrian* Cities, after which he gave Battel to *Seleucus*, who came to reduce him and his fellow Revolters; overthrew him and put him to flight. This Day was afterward obſerved as Solemn, and the beginning of their liberty. *Seleucus* being gone into *Aſia*, he then formed his new *Parthian* Kingdom. He raiſed men, fortified Caſtles, ſecured the Cities, and Built a great one called *Clara* on the Mountain *Thabrotenus*. By theſe means Eſtabliſhing his deſigned Kingdom, *Arſaces* became no leſs famous and memorable to the *Parthians* than was *Cyrus* to the *Perſians*, *Alexander* to the *Macedonians* or *Romulus* to the *Romans*; and moreover lived to be an old man. After his Death, out of reverence to his memory, the *Parthians* called all their Kings by his Name, as the *Romans* named their Emperours *Cæſars* and *Auguſti*. His Son and Succeſſour, *Arſaces* alſo by Name, with wonderfull valour ingaged *Antiochus* the Son of *Seleucus*, though followed by an hundred thouſand Foot, and twenty thouſand Horſe, and at laſt was admitted into his Friendſhip and Alliance. The Third was *Pampacius* who had alſo the Sirname of *Arſaces*, and dying in the twelfth year of his Reign left two Sons *Pharnaces* and *Mithridates*. *Pharnaces* the Elder ſucceeding his Father, ſubdued the Nation of the *Mardi*, and left his Brother *Mithridates* his Succeſſour by his Teſtament, who Conquered the *Medi* and *Elymi*, and ſo many other people; as to extend the Dominion of the *Parthians* from Mount *Caucaſus* to the River *Euphrates*.

Arſaces procured the Revolt.

Foemeth the *Parthian* Kingdom.

His Succeſſours called after his Name.

Arſaces.

Pampacius.

Pharnaces.

Mithridates.

5. After him came *Phrahartes* his Son, the Sixth King of the *Parthians*, who firſt of all deſired friendſhip of the *Romans* from *L. Sulla* then *Proconſul*, who in *Aſia* then carried on the War againſt *Mithridates* King of *Pontus*. He was killed in a War againſt the *Scythians*, and was ſucceeded by his Uncle *Artabanus*, as was *Artabanus* by his Son *Mithridates*. He from the greatneſs of his preferment, obtained to be called *Mithridates* the Great; for he waged many Wars with his Neighbours, and brought under the *Parthian* Yoke ſeveral Nations, and fighting ſometimes proſperouſly againſt the *Scythians*, revenged the Injuries done to his Anceſtours. He made War alſo againſt the *Armenians*, but was for his cruelty driven from the Kingdom by the *Parthian* Senate, and was ſucceeded by his Brother *Orodes*. He waged War with the *Romans*, and deſtroyed *Craſſus* with his Son and almoſt the whole *Roman* Army. *Pacorus* his Son being ſent to diſpatch the *Roman* War did great things in *Syria*, but was ſuſpected and called back by his Father, and in his abſence all the *Parthian* Army was Cut off in *Syria* by *C. Caſſius* the *Quæſtor* of *Craſſus*, with all its Captains. During the *Roman* Civil Wars, the *Parthians* ſent aid to *Pompey* againſt *Cæſar*, as alſo to *Brutus* and *Caſſius*, againſt *Octavius* and *Antonius*. The Wars being over under the Conduct of *Pacorus* and *Labienus* who had been on *Pompey's* ſide, they invaded and ſeized on all *Syria*. But *P. Ventidius Baſſus* the *Roman* General gave them Battel, and killing *Pacorus* and *Labienus* deſtroyed almoſt the whole Army, neither in any War did the *Parthians* receive a greater blow; and it is obſervable that *Pacorus* the Son of *Orodes* was ſlain on the ſame day that *Craſſus* was deſtroyed, whoſe Death they accounted thereby revenged. Not long after *Orodes* was moſt wickedly Murthered by his Son *Phrahartes*, who ſeized on the Kingdom.

Phrahartes.

Orodes deſtroyed *Craſſus*.

Phrahartes 2.

6. Againſt *Phrahartes M. Antonius* the *Triumvir* made War with ſixteen moſt valiant Legions, becauſe of the Aides that had been ſent againſt *Cæſar* and himſelf. The Iſſue of it was that being tired out with many Battels, with Famine, Peſtilence and Tempeſts, he fled from *Parthia* with his Army much leſſened. With this ſucceſs

Sect. I.

Driven into Baniſhment.

Recovers his Station.

Auguſtus frights him.

Phrahartes 3.

Orodes 2. *Vonones*.

Artabanus.

Tyridates.

Gotharzes.

Meherdates.

Vonones 2.

Vologeſes.

Vologeſes 2.

Choſdroes worſhipped by *Trajan*.

Vologeſes 3.

Artabanus 2.

Overthrown by *Artaxerxes* a *Perſian*, together with the *Parthian* Kingdom.

Artaxerxes who inſlaved the *Parthians* again, what he was.

The Empire of the Eaſt reſtored to the *Perſians*.

ceſs *Phrahartes* was made more Inſolent, and thereupon doing many cruel things, he was driven by the *Parthians* into Baniſhment, and his Kingdom was delivered to one *Tyridates*, whom yet by the aſſiſtence of the *Scythians*, he drove away and recovered his Station. But he ſcarcely thought himſelf ſecure in it, when he heard how *Auguſtus*, after his diſpatching of the War of *Spain*, talkt of making another upon him. It put him into ſuch a fright, that he cauſed the Captains which had been of *Craſſus* or *Antonius* his Army, to be gathered out of all *Parthia*, and with the Military Enſigns to be ſent back to *Auguſtus*. Moreover he delivered over to him his Sons and Nephews for Hoſtages. So that *Auguſtus* with the mere terrour of his Name did more than another Prince could have effected by his Arms. But *Phrahartes* being Dead, his Son of the ſame Name, and the twelfth King of the *Parthians* ſucceeded him. And after him followed *Orodes*.

7. *Orodes* was ſlain; and then came Meſſengers or Ambaſſadours from *Parthia* to *Rome*, to deſire that *Vonones* the Eldeſt of the Sons of *Phrahartes* might Reign amongſt them, whom his Father had formerly delivered an Hoſtage to *Auguſtus*. He was ſent by *Tiberius* accordingly, but ſhortly after was driven out and had *Artabanus* for his Succeſſour. *Vonones* retired into *Armenia* which then had no King, and *Artabanus* ran the ſame riſque of Fortune, being laid at by his Subjects, and having War with the *Romans*, he was through the endeavour of *Vitellius* the *Legatus* of *Syria*, driven from his Kingdom by *Tyridates* one of the bloud Royal of the *Arſacidæ*. *Tyridates* then became the ſixteenth King of the *Parthians*, but not long ſo continued, for he was driven out by *Artabanus*, whom the *Hyrcanians* and *Caramanians* aſſiſted, and fled to the *Romans* into *Syria*. *Artabanus* having recovered the Kingdom, had again like to have been betrayed by the Treachery of one *Sinnaces*, whom having ſlain, the third time he recovered his Condition, and at length being thus toſſed by various Accidents, was with his Wife and Son killed by his Brother *Gotharzes*, who became the Eighteenth King. To make good the Cuſtome, *Gotharzes* was expelled by his Brother *Bardanes*, whom yet having ſlain he recovered his Eſtate, and overthrew in Battel *Meherdates*, whom *Claudius* the Emperour had ſent to ſeize on the *Parthian* Kingdom, and taking him alive onely cut off his Ears. He being Dead, *Vonones* who governed *Media* became the twentieth King of the *Parthians*. Of him there is nothing obſervable, but that he was Father to *Vologeſes*, who became moſt famous in the *Roman* Annals.

8. He waged a long and difficult War with the *Romans*, wherein he was not onely ſometimes an Equal, but a Superiour alſo. In the time of *Nero*, he took from them *Armenia*, and put under the *Jugum* two *Roman* Legions to their great Infamy. Having done extraordinary things he died an old man, and left his Son *Vologeſes* his Succeſſour; whoſe Actions are as obſcure as his were remarkable. After him *Choſdroes* was King of the *Parthians*, upon whom the Emperour *Trajan* falling, took from him firſt *Armenia*, and then *Meſopotamia* and *Aſſyria*, and him he drove away, ſo that the *Parthians* were for ſome time without a King. When they were about to revolt, *Trajan* gave them for King *Parthenaſpates*. Him *Choſdroes* expelled, and recovered the Kingdom of his Anceſtours. After him *Vologeſes* long held it, with whom *Marcus* and *L. Verus* had many Wars, and took from him *Aſſyria* and *Armenia* which had been left by *Hadrian*. After him *Artabanus* was the laſt of the *Arſacidæ* that held the Empire of the *Parthians*, who waged War with various ſucceſs againſt *Severus*, *Antoninus Caracalla* and *Macrinus* the *Roman* Emperours. At length when *Alexander Severus* Governed the *Roman* Empire, he was overthrown in three Battels by one *Artaxerxes* a *Perſian*, who not onely put a period to his Life, but to the Kingdom and Empire of the *Parthians* in the CCCCLXXIII year from the firſt *Arſaces*; by which means the *Parthians*, to whom the *Perſians* all this while had been Slaves, were again ſubjected in Servitude to that People in the CMLXXVIII year of *Rome*; of our Lord the CCXXVI.

9. *Artaxerxes* is ſaid as *Arſaces* formerly to have been of obſcure Original, but a man of great Spirit and valour. That he might reſtore the *Perſians* to their ancient Name and Repute, he ſolicited the ſeveral Nations of them to revolt, and when *Artabanus* came to chaſtiſe the Rebellion, overthrew him thrice in Battel, killed him, and moreover reſtored the Empire of the Eaſt to the *Perſians*. Elevated by his Succeſs, he fell upon the Neighbour Nations, to bring them alſo under the Yoke, and having cauſed all that had formerly ſerved the *Parthians* to ſubmit, he would not keep himſelf within the Boundary of *Tigris*, but paſſing the River, and the *Roman* Limit, overran *Meſopotamia*, threatned *Syria* and laid claim to that Countrey lying oppoſite to *Europe*, the *Ægean* Sea and Strait of *Propontis*, and known by the Name of *Aſia* (the Leſs,) as having been governed by the *Perſian*

Vide Agathiæ Hiſt. lib. 2. *c.* 14. *& lib.* 4. *c.* 11. *& Ompbrium quo prius. p.* 263.

Sect. I.

Satrapæ from the time of *Cyrus* to *Darius* the laſt King in that Succeſſion. For he boaſted that it was his Duty to recover all the ancient Empire to the *Perſians*. Having procured a great Name by his Arms, he died after he had Reigned fourteen years wanting two Months, and left a peaceable Kingdom to his Son *Sapor*.

Sapor Succeeds *Artaxerxes*.

Who took *Meſopotamia* and the Emperour *Valerian*.

This is that *Sapor*, the moſt cruel of all others, who brought ſo much diſgrace and prejudice to the *Roman* Empire and Name, who defeating them in a great and bloudy Battel, took from them *Meſopotamia*, and *Valerian* their Emperour alive, as the Reader may remember. *Agathias* relates, how having waſted *Meſopotamia*, he fell upon the *Cilicians*, *Syrians* and *Cappadocians*, whom he overthrew with ſo great ſlaughter, that he filled up with dead Bodies the Holes and diſtances of Mountains, thereby made the Hills even, and ſo Rode over them as on plain ground. But returning home, he was humbled by *Odenathus* of *Palmyrena*, and died when he had Reigned one and thirty years.

Ormiſda.

Vararanes.

Vararanes 2.

Vararanes 3.

Narſes.

Miſdates.

Sapor 2.

Artaxerxes.

Sapor 3.

Vararanes 4.

Iſdigertes.

Vararanes 5.

10. After *Sapor* ſucceeded *Ormiſda* his Son, who held the Kingdom not long, dying without having any thing performed worthy of memory, after a year and ten days. The next to him was *Vararanes*, who having Reigned three years, gave place to his Son of the ſame name. *Vararanes* the Second Reigned ſixteen years, after whom ſucceeded *Vararanes* the Third, but onely taſted of Sovereignty, which he enjoyed but four months. He was ſirnamed *Seganeſma*, as *Agathias* judges, from the Nation of the *Segani* which his Father had Conquered. For when the *Perſians* conquered a People they onely put to death the principal Perſons, and reſerved the reſt to Till the Ground and pay them Tribute; but as a Trophy or mark of Conqueſt they would have their Sons take the name of the place, as *Seganeſma* King of the *Segani*. But he being quickly gone, *Narſes* ſucceeded for ſeven years and nine months, who left his Son *Miſdates* his Succeſſour, ſo truly his Succeſſour, that he not onely Reigned over the ſame Nation but exactly the ſame time, ſeven years and nine months. After him Reigned *Sapor* the Ninth King of the *Perſians*, whoſe Reign and Life was of the ſame extent; for his Mother having newly conceived him, upon prediction that it was a Male, they put the *Cidaris* upon her belly. He lived and reigned together ſeventy years, and this is he in whoſe days *Julian* invaded *Perſia*, and in his twenty fourth year was *Niſibis* delivered up by *Jovian* into his hands. He left his Kingdom to his Brother *Artaxerxes* who died after four years, and had for Succeſſour his Son *Sapor* the Third who Reigned five. In the next place came *Vararanes* the Son of *Sapor*, who, as *Agathias* Writes, doubled his Fathers years, and added one more to them. He was ſirnamed *Cermaſat*, from a certain Nation called *Cerma* which had been ſubdued. In like manner our Authour tells us, as the *Romans* gave the Additions of *Africanus* and *Germanicus* from the Conqueſt of thoſe Countries.

11. After him *Iſdigertes* his Son was King of the *Perſians*, and of great Name amongſt the *Romans*. This is he whom *Arcadius* at his death is ſaid to have made Guardian to his Son *Theodoſius*. So it was delivered by Tradition *Agathias* confeſſeth, and to his time the report went both amongſt the Learned and Ignorant perſons. But he affirms it was not to be found in any Writings; not in the Hiſtories of thoſe who wrote of *Arcadius* his death, onely in the Book of *Procopius* the Rhetorician. He expreſſeth himſelf hard of belief, and wonders that *Procopius* not telling how he came to the knowledge of the matter, ſhould fall into commendation of *Arcadius* for his Prudence. Whereas the man being a Barbarian, an enemy to the Provinces, and of Manners, and opinion quite different from thoſe of the *Romans*, the event was onely to be admired. And if *Iſdigertes* kept faith with *Theodoſius*, who was but now a ſucking Infant, and diſcharged his Truſt, he was more to be commended for his Goodneſs than *Arcadius* was for his Wiſedom, whom *Procopius* makes to have been onely wiſe in this particular. However *Agathias* confeſſeth that *Iſdigertes*, though he Reigned one and twenty years, yet never undertook any War againſt the *Romans*, neither ever moleſted them with any injury, but was peaceable and kind to them; whether it happened ſo by chance, or that he ſpared the Boy, and was for preſerving both Nations. His Son and Succeſſor *Vararanes* invaded the *Roman* Territories with a great Army, but did no hurt, being overcome with the Civility of *Anatolius* the Emperour's Ambaſſadour. The *Perſian* being come near the Army, *Anatolius* leaped from his Horſe, and alone and on Foot went toward him, who demanded of the Company what he was; they ſaid it was the *Roman* General; at which the King amazed as at an exceſſive Honour, turned his Horſe and rode away, and after him followed his Army. Being in his Countrey he entertained the Ambaſſadour with much Courteſie, and yielded to the terms of Peace he deſired. That neither People ſhould erect any Fortifica-

Procop. de bello Perſico, lib. 1.

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tion near the Borders of the other; which if done they gave either side opportunity of doing what they pleased.

Vararanes 6.

12. When *Vararanes* had Reigned twenty years, he left his Kingdom to his Son *Vararanes* the Sixth, who after seventeen years and four months gave way to

Perozes.

Perozes. This *Perozes* was Valiant and Warlike, but with more Courage than Discretion made War against the *Ephthalites*, as *Procopius*, or *Nephthalites* as *Agathias* calls them, about their Boundaries. They were a Nation of *Hunnes*, known

Hunnes Ephthalites who.

by the Name of *White Hunnes*, not mingled with the rest, as having no part of their Countrey bordering upon them. Their dwelling was to the North of *Persia*, being no *Nomades* or wanderers as the other *Hunnes*, but seated in a good Land, where was a City called *Gorga*, and it seems it so contented them, that they made no Inroads into the *Roman Territories*, but with the *Persian* Armies. As these *Hunnes* had white Bodies and Visages not uncomely, their course of Life was not, as that of the rest, brutish. They were under one King in a lawfull Government, and dealt justly amongst themselves and with their Neighbours, no less than the *Romans* or any other People. Their rich men had each twenty or more Companions, to be their perpetual Comrades, and to partake in a community of their Goods. When any of the Principals died, the Retainers were wont to be put into the same Graves with them. Those *Ephthalites Perozes* invaded, when *Eusebius* the Ambassadour of the Emperour *Zeno* was with him. They pretended fear and to flie before him, and thereby drawing him into a place beset with Mountains and Thickets, from which there was no passage forward, they stopped his Retreat and forced him to submit to hard Conditions. Their King upbraiding him for his Rashness, said he would grant him and his Men their Lives, if he would adore him, being now his Lord, and swear his Countrey Oath, that the *Persians* should no more invade the *Ephthalites*. *Perozes* consulting the *Magi*, they answered that for the Oath he

Perozes overthrown by them.

might do what he pleased; but in the thing he might delude the Enemy by a Trick. They having a Custome every morning to adore the Rising Sun, he should observe the hour, and meet the King of the *Ephthalites* with his Face to the Sun rising, and so adore, and hereby avoid the disgrace. *Perozes* accordingly swore the Peace, adored his Enemy, and then went home with his Army.

13. But not long after, neglecting his Oath he resolved to be revenged on the *Ephthalites*, and with all his own men and Confederates went against them; of his thirty Sons taking all along with him except *Cabades* the youngest, but then grown a man. They hearing of his design, reviled their King for loosing the former opportunity, and required he should go and meet the Enemy. He refused to doe it, the *Persians* being yet in their own Countrey; but, within his own Borders upon a Plain, through which they were to enter, he digged in a great space of ground a deep Pit extreme broad, leaving in the middle a narrow passage for ten Horse a breast; over the Pit he laid Reeds, and upon the Reeds Turffs which concealed the Hole, directing his people when they should flie from the Enemy, to keep close and few in Rank upon the firm ground, and avoid the Pit. Then on his Palace he hung out his *Holas* or Gods by whom *Perozes* swore, and breaking his Oath invaded now the *Hunnes*. He stirred not so long as the Enemy was within his own Countrey, but understanding by his Scouts that they were come to *Gorga*, on the Borders and marching toward him, he himself with most of his Army staid short of the Pit, sending out a Party to shew themselves upon the plain at a good distance; and no sooner seen by the Enemy but to retreat amain, remembring the Pit. They

Defeated by a Stratageme and Slain.

did so, and the *Persians* pursued upon full speed as in an open plain, and so fell into the Pit, not onely the foremost, but the Rere also; for pursuing furiously, they perceived not the mischeif of those of the Front, but falling down upon them with Horses and Lances, killed them, and were destroyed for Company. Amongst whom was *Perozes* and all his Sons. Such as escaped the Pit, fell into the Enemies Hands.

14. Upon this dreadfull Disaster, the *Persians* made a Law, Not to follow the chace in full speed, though the Enemy should run away in that haste. And to put

Cabades his Son made King,

themselves into order, they made King, *Cabades*, the onely Son of *Perozes* surviving. Two years they served the *Ephthalites*, and paid them Tribute, till *Cabades* being confirmed in his Seat refused it. He afterwards governed tyrannically, made many

And deposed.

alterations, and particularly one Law, that the *Persians* should have their Women in common, which the People misliked, and taking Arms deposed him and kept him in Prison. They chose *Blasses* (*Agathias* calls him *Valens*) the Brother of *Perozes* for King, all his other Sons being dead. For of a private Race the *Persians*

Blasses Succeeding.

might not chuse one, if the bloud Royal was not quite extinct. *Blasses* succeeding assembled

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assembled the cheif men of *Persia*, and propounded in Council concerning *Cabades*, whom the Multitude would not endure to be put to Death. Many opinions being spoken, *Gusanastades* a principal man and by Office a *Chanaranges* or General upon the Borders of the *Ephthalites*, shewed them his Knife, such as the *Persians* were wont to pair their Nails with, of a finger length, and an inch thick. See, saith he, this Knife is a very short one, yet can it doe that now, which within a while twenty thousand men will not be able: intimating that if they did not now dispatch *Cabades* he would get abroad and trouble them again. But they thought not fit to kill one of the Bloud Royal, but rather to keep him in the *Tower of Oblivion*; where if a man was imprisoned, it was not lawfull to mention him, once to name him was death, and thence the Tower had its Name. Though at one time the law of it was broken, in the Person of *Arsaces* King of *Armenia* therein a Prisoner, as *Procopius* tells the story out of the *Armenian* Historie.

Cabades escapes out of Prison.

15. *Cabades*, being in Prison, consented that his Wife should yield to the Lust of the Captain of the Castle, that she might have free access to him, which advantage he so improved as that changing Clothes with her, he got out of Prison, and being received by one *Seoses*, who had prepared Horses for him, escaped away into the Countrey of the *Ephthalites*. There he Married the King's Daughter, and brought an Army against the *Persians*, who finding themselves too weak, fled from the *Hunnes*. Coming where *Gusanastades* was Governour, he said that such *Persian* as that day first came to offer his Service he would make *Chanaranges*; and he repented of what he had said, when he remembred the *Persian* Law, that no Government should be conferred upon Strangers in Bloud, but such onely were to have the place to whose race it did belong. But by chance his word was kept without Injury to the Law, *Adergudunbades* appearing first, a young man, Cousin to *Gusanastades*, and very expert in Marshal Affairs. He first saluted *Cabades* as his Lord, adored him as King, and besought him to Command him as his Slave.

Puts out the Eyes of *Blasses*, and recovers the Kingdom.

So he entred the Palace, and finding *Blasses* without a Guard, put out his Eyes, as the *Persians* were wont to deal with Malefactours, pouring into them boyling Oil, or with a Bodkin red hot, melting an Ointment into the inside of them, and he ever after kept him in Prison. After two years he put *Gusanastades* to Death, and made *Adergudunbades* General. *Seoses* he created *Adrasta-daras Salenes*, or Superintendent over all Offices and Armies, an Office first held by him in *Persia*. None before nor ever after had it. *Cabades* Established himself and secured his Empire, being witty and valiant, no man more. His restitution happened in or about the DI year of our Lord. This is that *Cabades* who two years after Quarrelled with *Anastasius*, because he would not lend him money, wherewith to pay a Debt due it seems to his Father-in-Law. And this is he, who also fell out with *Justin* the Emperour, because he refused to adopt his Son after the *Roman* manner. It concerned the Reader that he should have this Account, concerning the Succession both of the *Parthian* and *Persian* Kings. Else this History would have been deficient, and he could not have well distinguished concerning *Parthians* and *Persians*, the greatness of which Kingdoms, and that great part they acted in the World, would have required a Chapter or Section by themselves, if we could have had Intelligence sufficient of their matters, which were transacted amongst themselves.

16. To omit then what we have already written of such Actions as fell out betwixt *Cabades* and those two Princes, *Justinian* being sole Emperour, directed *Belisarius* to build a Fort at *Mindon* upon the Confines, on the left hand of the way to *Nisibis*, who having advanced it to a considerable height, the *Persians* with threats commanded him to desist. The Emperour perceiving he should be too weak for them, Commanded *Cutzes* and *Buzes* the *Duces* of the Limits of *Phœnicia Tibani*, one of the fifteen Provinces subject to the Prefect of the *East*, to march to his Assistence with another Army. These Officers were *Thracians* and Brothers, and being young and rash were worsted, lost many of their men, and they themselves at length being taken Prisoners were shut up in a Cave, and no Forts defending the Building, the *Persians* demolisht it. After this *Justinian* made *Belisarius*

Belisarius made General of the East.

General of the *East*, Commanding him to make an Inroad into *Persia*, and joyn with him *Hermogenes*, Captain of his Guard, sometime *Quæstor* to *Vitalianus* when he rebelled against *Anastasius*. He also nominated *Rufinus* his Ambassadour, in case a Treaty, of which there were made some Overtures, should proceed. *Belisarius* having levied a good Army came to *Daras*, and *Perozes*, by Office a *Mirranes*, with an Army of *Persians* advanced within two miles of it. *Belisarius* and *Hermogenes* wrote to him, advising him to forbear Hostilities and expect the coming of

Sect. I. of *Ruſinus*, but he anſwered he could not truſt them being *Romans* though upon Oath, and bad *Beliſarius* make ready a Bath for him; for he intended the next day to bathe in *Daras*. The *Romans* had drawn a Line before the Town, and were ranged in ſuch Order as amazed the *Perſians*, who though they faced them forbore to fight, onely ſome ſlight Skirmiſhes had paſſed, and two *Perſians* who challenged any *Romans* to ſingle Combats were killed, the one after the other, by one *Andrew* the Maſter of a Wreſtling School in *Conſtantinople*. *Beliſarius* deſired a ſuſpenſion of Arms, becauſe the *Perſian* Army was increaſed by a ſupply of ten thouſand men. But what moved him to deſire a Ceſſation, moved alſo the *Mirranes* to deny it. Thereupon both prepared for a Battel.

17. The Battel they began with ſhowres of Arrows, which darkned the Air, and did great Execution on both ſides. The *Perſians* herein had the Advantage that their Numbers were greater, and their freſh men ſtill let flie upon the *Romans*, who at firſt did not conſider it. Yet a ſtrong Wind blew upon them, which ſuffered not their ſhot to doe much more miſchief than they received. When their Arrows were ſpent, they came to their Lances, and the left Wing of the *Romans* was much diſtreſſed, till releived by three hundred *Heruli*, who being placed on purpoſe on an adjoyning Hillock, fell in upon the Rere of the Enemy, which being charged alſo by another Party on the Flank, gave ground, and at length ran away, about three thouſand men being loſt in their Right Wing. But their left together with their *Immortal Band* charged their Oppoſites with ſuch Violence, that they put them to the rout. But then from the Angle of the right hand line, which the *Roman* Generals had cauſed to be drawn, a party ordered by *Beliſarius* fell with fury on the Flank of the Barbarians as they purſued, and cut their Army in two. The *Perſians* who gave the chace foremoſt perceiving their Diſadvantage, faced about and fell upon their purſuers, whereby they came to be charged both ways by the *Romans*, they that had fled before them now turning head. When the *Immortal Band* and the other *Perſians* near them ſaw the great Enſign lying upon the ground, acted by Indignation they charged the *Romans* a-freſh, who received them ſo warmly, that they ſoon had enough, and fled away in Confuſion. The Foot ſurprized with terrour and amazement, caſt away their Bucklers and were cut in peices. The *Romans* killed about five thouſand, yet the chaſe laſted not long, their Generals cauſing them to retreat, leſt the Enemy ſhould rally and worſt them thus purſuing without order. They thought it enough to have got the Victory in this manner, for before that day it had been long ſince the *Perſians* were defeated by the *Romans*, ſo they parted for this time, neither would the *Perſians* come to any more Battels. There onely followed ſome Skirmiſhes upon Inroads, wherein the *Romans* had not the worſt.

The *Perſians* defeated,

18. Such was the Succeſs *Cabades* found in *Meſopotamia*, who had ſent another Army into the *Roman Armenia*. This conſiſted of *Perſarmenians* and *Sunites* who bordered upon the *Alans*, and three thouſand *Sabirian Hunnes*, a very Warlike Nation, Commanded by *Mermeroes* a *Perſian*. Intelligence being given where they lay to *Dorotheus* the Commander in *Armenia*, and *Sittas* General of the Forces, they fell on a ſudden upon them, and killing many, rifled their Camp. Not long after their Return, *Mermeroes* to be even with them, invaded the *Roman* Territories, and overpowring his Enemies in Numbers had deſtroyed them in their Camp, but that *Sittas* placed with a Reſerve behind an Hill, came upon his Rere in good time, and the *Perſians* by reaſon of the Duſt, not being able to diſcover how many men he had, and fearing they might be more numerous than they were, left the Camp, and retiring into a Body were defeated and fled. But becauſe they exceeded the *Romans* in number, they rallied, and coming to dint of Sword the Fight was very ſharp, till *Florentius* a *Thracian*, and Captain of a Troop of Horſe, with the loſs of his Life ſeized the *Perſian* Standard and caſt it to the ground. The Barbarians looſing ſight of their cheif Enſign fell into fear and diſorder, and retiring to their Camp the next day marched home. And none purſued them, the *Romans* thinking they had done enough, having firſt beaten them in their own Countrey, and now ſent them home worſted by a ſmaller number, without having any thing performed. Afterwards they took in ſome Towns in *Perſarmenia* with two Forts called *Bolus* and *Pharangium*, whence the King had a Revenue of Gold Mines. *Sittas* before this War had alſo ſubdued the *Tzanians*, who Inhabiting the Inacceſſible Mountains covered with perpetual Snow, had lived by picking and ſtealing, but now by him civilized were inrolled in the *Roman* Troops, marched with their Armies and turned *Chriſtians*. About the ſame time *Narſes* and *Aratius*, who had formerly fought againſt *Beliſarius* and *Sittas*, revolted to the *Romans*, and were entertained

And Retreat with loſs.

entertained by *Narſes* the Emperours *Quæſtor* who was alſo a *Perſarmenian*. This their younger Brother *Iſaac* hearing, held ſecret Intelligence with the *Romans*, and delivered into their Hands the Fort *Bolus*, which was not far diſtant from *Theodoſiopolis*, letting in the Souldiers by a Poſtern. And ſo he alſo came to *Conſtantinople*. Sect. I.

19. But the *Perſians* who lay about *Daras*, though defeated by *Beliſarius*, yet kept together about theſe Parts, till *Ruſinus* the Ambaſſadour coming to *Cabades*, ſolicited him about a Peace as moſt conducible to the flouriſhing Eſtate of both Nations. *Cabades* laid the load upon the *Romans*, urging that the rearing of the ſeveral Forts of *Daras*, *Mindon* and the reſt, were quite contrary to the Articles of the Agreement concluded with *Anaſtaſius* the Emperour, and he alledged that the *Romans* ought to contribute half of the expence toward the keeping of the *Caſpian* Gates, through which the Neighbouring Nations were wont to forage both Countries. He diſmiſſed the Ambaſſadour with publick Anſwer, that he was reſolved not to lay down Arms till the *Romans* either joyned in the Guard of the Gates, or diſmantled *Daras*, yet privately he intimated to him that for a Sum of money he would be content to lay aſide all Quarrels, wherewith *Ruſinus* acquainted the Emperour at his return to *Conſtantinople*. Thither ſoon after came *Hermogenes*, and ſo together with the Winter ended the fourth year of the Reign of *Juſtinian*. The Occurrences of theſe years being thus interwoven by the Authour, ſo as not to be diſtinguiſhed, we are conſtrained to give the Narration of them unbroken, as it lies before us, and muſt now proſecute what remains till the concluſion of this preſent War.

Ruſinus Ambaſſadour to *Cabades* about a peace.

20. In the beginning then of the following Spring, ſeventeen thouſand *Perſian* Horſe under the Command of *Azarethes* their Countreyman invaded the *Roman* Territories, and with them *Alamundarus* King of the *Saracens*, followed by great numbers of his Subjects, not as they were wont by the way of *Meſopotamia*, but by *Comagena* at that time called *Euphrateſia*. This way they took by the Advice of *Alamundarus*, who was now become chief Councellor to *Cabades*; for *Perozes* the *Mirranes* having loſt moſt of his Army was in diſgrace, the King having taken from him the Head-Tire of Gold and Pearl which tied up his hair, a mark of the greateſt honour in *Perſia*, next to the King, where none might wear Ring, Belt, Buckle or any thing of Gold, but by the King's expreſs Licence. To truſt *Alamundarus* he had good reaſon, both in reſpect of his Abilities being a very wiſe man, and an experienced Souldier, as alſo becauſe his Enmity to the *Romans* was remarkable, he having for the ſpace of fifty years, much indamaged them by foraging their Countrey, from *Ægypt* to *Meſopotamia*, burning, killing and making an innumerable company of Slaves, being indeed the moſt circumſpect and dangerous Enemy the Empire had. His great advantage was his having Command of the *Saracens*, under the *Perſian* Dominion, with the Title and Authority of King, whereby he could make his Invaſions when, where and as he pleaſed. Neither the *Duces* of the Limits, nor the *Phylarchæ* or Princes of the *Saracen Tribes*, in League with the *Romans* were able to oppoſe him. *Juſtinian* put many of theſe *Tribes* under *Arethas* Cheiftain of the *Saracens* in *Arabia*, to whom he gave the Title of King, though this was a thing not uſual with the Emperours, and it profited nothing, either through the ill fortune or treachery of *Arethas*. For, *Alamundarus* continued to make Inroads and Depredations as far into the Eaſt as ever, ſo long till he was become very old. He told *Cabades* that if he invaded the *Roman* Dominions as formerly, by the way of *Meſopotamia* and *Oſroene*, he could have no ſure bargain of it. That the Countrey about *Euphrates* and *Syria*, next it, had neither any fortified City, nor conſiderable Forces, but he ſhould find *Antioch* the chief City of the Eaſt with no Souldiers to ſecure it, and the Inhabitants onely intent upon Feaſts and Paſt-times. He urged that he might eaſily take it by ſurprize, and return home ſecurely before the Forces in *Meſopotamia* could have the News. For Water and Proviſions he ſhould take no care, for he himſelf would lead the Army the moſt convenient and ſecureſt way.

The *Perſians* and *Saracens* invade the *Roman* Territories a new way.

21. Theſe *Perſians* being the firſt that ever made an Invaſion this way, much ſurprized the *Romans* and perplexed *Beliſarius*. Notwithſtanding he having left convenient Garriſons in *Meſopotamia*, haſted with two thouſand men to give them a ſtop, which they underſtanding, reſolved not to hazard themſelves, and fairly retreated. *Beliſarius* overtook them as they were truſſing up their Baggage on *Eaſter* Eve, but had no mind at all to ingage, and finding his men eager to fight, by a ſpeech he indeavoured to ſhew them how improper a thing it would be to ſet upon a flying Enemy, and provoke him by neceſſity and deſperation to doe that which

Sect. 1. which he had formerly neither deſired nor thought: and the ingagement would be unreaſonable at this time eſpecially, when they were all faſting, and according to the Chriſtian Cuſtome, were to Eat nothing all that day and the Night following. But the Army reproached him for his Speech, not muttering but with open clamour to his Face calling him Fainthearted Man, and a Diſcourager of them; ſo that he plainly ſaw he muſt diſſemble the matter and comply, and amazed at their impudence he turned his Diſcourſe to incourage them, ſaying that he knew not their Alacrity before, but now he took Courage, and ſhould lead them againſt the Enemy with more hope. *Azarethes* ſeeing the *Romans* Embattelled, exhorted his men to ſhew themſelves *Perſians* by arguments drawn from neceſſity and deſpair, which are wont to make even Cowards Valiant. At the firſt Encounter more *Perſians* than *Romans* fell by Arrows, though they ſhot thicker being almoſt all Archers, and the moſt dextrous then living; but their ſhafts coming from weak Bows little bent, and lighting upon the Armour of their Enemies, broke without doing much harm, whereas the ſhot of the *Romans*, though it was ſlower, coming from ſtiff Bows much bent, and ſtronger Armes than thoſe of the *Perſians*, ſped where it lighted, no Armour reſiſting its force. Two thirds of the Day paſſed, and the fight was equal; but then the beſt Souldiers amongſt the *Perſians*, agreed to charge the Right wing of the *Romans*, where ſtood *Arethas* and his *Saracens*. They opened their Battel, and probably out of deſign to betray *Beliſarius*, ran away.

The *Roman* Army willfull to fight is defeated.

22. The *Roman* Horſe ſpent with toiling and faſting, and now overcharged on all ſides, gave it over and betook them to their Heels. Some that gallantry of mind ſtaied, died with grinning honour. The *Iſaurians* and *Lycaonians* making no reſiſtence were cut in peices, for they were men utterly unexperienced, newly taken from the Plough, knew not what a Battel meant, and yet they were hotter for the fight than any, and reproached *Beliſarius* with Cowardiſe not long before. He haying for ſome time ſuccesfully made head, and defended himſelf from being run down by the *Perſian* Horſe, Night came on, whereupon the Enemy returning to his Camp, he paſſed into an Iſland of *Euphrates*, and with the remainder of his Army was conveyed to *Callinicum*, in Boats ſent from thence for that purpoſe. The *Perſians* coming to plunder the Field, found they had no cauſe to brag of the Victory, having loſt as many of their own men, as they had ſlain of the *Romans*. And when *Azerothes* returned to Court, he had no thanks for what he had done, having neither taken *Antioch*, nor any other place as the King expected. It had been an ancient cuſtome in *Perſia*, that when an Army was levied, the King ſate upon his Throne, having by him the General deſigned for the expedition. And certain Baskets were placed there, into which as the Army paſſed before the King man by man, each caſt an Arrow, which done, they were ſealed up with the King's own Seal. When the Army returned from the Expedition, each Souldier took out his Arrow, and certain Perſons were intruſted to number the Arrows remaining, who thereby informed the King concerning the number of the Souldiers come home, and thence he knew how many had periſhed in the War. This courſe being now taken, when *Cabades* underſtood how many Arrows were left in the Baskets, he reviled *Azarethes* and ever after held him in diſgrace.

23. *Juſtinian* ſeeing he had work enough made him by the *Perſians*, bethought himſelf of ſome Aſſiſtence; and for that purpoſe reſolved to try if he could draw the *Homerites* and *Æthiopians* to joyn with him againſt them. The *Homerites* Inhabited to the Eaſt of *Paleſtine* upon the *Red-Sea*, which taking its beginning from *India* according to the Hydrography of *Procopius*, terminated in that part of the *Roman* Empire, having upon the Coaſt, where it ends in a narrow Strait, the City *Ælas* with the Mountains of *Ægypt* to the South, and toward the North a deſart Countrey reaching far. Oppoſite to the *Homerites* on the other ſhore, Inhabited the *Æthiopians* called *Auxomitæ* from the City *Auxomis* their King's Reſidence. The Sea betwixt them (by ſome called the *Red Sea*, as the reſt towards *Ælas* the *Arabian Gulf*,) was five days and nights Sail over with a reaſonable gale, there being no danger by Night from any Shelves or Rocks in the paſſage. The Haven of the *Homerites* whence they Sailed into *Æthiopia* was called *Boulicas*, and they Landed at an Haven of the *Adulites*, diſtant from the City *Adulis* onely two miles and an half, and from *Auxomis* twelve days Journey: The Veſſels of *India* and others, which in thoſe days Sailed theſe Seas, were not built like other Ships, neither trimmed with Pitch or ſuch like ſtuff, nor were the Planks faſtened with Iron, but tied together with Cords. Not becauſe of Iron-drawing Rocks as was then vulgarly thought, the *Roman* Ships on the ſame Sea finding no ſuch matter though built with Iron; but becauſe neither *Indians* nor *Æthiopians* had Iron, nor ſhet materials

Sect. 1.

materials for that uſe, neither could they buy any of the *Romans* who forbad it on pain of Death.

24. During the War with *Perſia*, *Helliſthæus* King of *Æthiopia* being a very devout Chriſtian, and hearing that many of the *Homerites* were Jews, and ſome Heathens laying exceſſive burthens upon Chriſtians, ſent out a Fleet and an Army againſt them, and ſlew their King with much People. He made King one *Eſimiphæus* one of their own Nation and a Chriſtian, and impoſed on them a Tribute, many of his own Souldiers alſo liking well the Countrey, would not return but fixed there. Not long after, the People impriſoned *Eſimiphæus*, and made one *Abram* King, a Chriſtian, who had been ſlave to a *Roman* Merchant at *Adulis*. To puniſh theſe Innovators *Helliſthæus* ſent two Armies, but one revolted allured with the goodneſs of the Land, and the other returned with loſs, ſo that he forbore to meddle any more with *Abram*, who yet after his death was content to pay the Tribute to his Succeſſour, and ſo was confirmed in his place. During the Reigns of *Helliſthæus* and *Eſimiphæus*, the Emperour *Juſtinian* ſent his Ambaſſadour *Julian*, to deſire their Confederacy with the *Romans* againſt the *Perſians*. Beſides that they were of the ſame Religion, he propounded to the *Æthiopians*, that they might make themſelves Maſters of a very rich Trade, by dealing with the *Indians* for their Silk and ſelling it to the *Romans*, for of this Silk were then made the anciently called *Perſian*, and afterward *Serick* Clothes. He deſired of the *Homerites*, that they would ſet over the *Maadeni Saracens* one *Caiſus* deſcended from the *Phylarchæ*, and an ancient Souldier, who was fled into the Wilderneſs for having killed a Kinſman of *Emiſſphæus*, and he prayed that together with theſe *Saracens* they would invade the *Perſians*.

25. Each of them diſmiſſed the Ambaſſadour with fair promiſes, but never performed them. The *Æthiopians* were not able to buy the Silk, becauſe the *Perſian* Merchants being the next Borderers, came firſt to the Havens where the *Indians* unladed, and bought up all. The *Homerites* thought it too much to travell through a Deſart many days Journey, to fight with a more War like People than themſelves; and *Abram* afterward often promiſed and once began the Journey, but returned home again. About the ſame time *Hermogenes*, being ſent on an Embaſſy to *Cabades*, had as bad or worſe ſucceſs, not being able to procure a peace, the King was ſo inraged after the Battel of *Euphrates*. *Beliſarius* was ſent for home to make War upon the *Vandals*, and *Sittas* was ordered to take care of the Eaſt. The *Perſians* with a freſh Army Commanded by *Chanaranges*, *Apſendes* and *Mermeroes* entered *Meſopotamia*, and there being none to reſiſt them, ſate down before *Martyropolis* in the Province of *Sophanene*, thirty miles to the North of *Amida*, and ſituate upon the River *Nymphius*, which bounded the *Roman* and *Perſian* Dominions. They were valiantly received by the Defendants, though the Town was not at all fortified for a Seige, and wanted all ſorts of Proviſions. *Sittas* was then abroad with a *Roman* Army, but durſt not come within twelve miles, being accompanied by *Hermogenes*, who was now ſent on another Embaſſy.

Martyropolis Beſieged by the *Perſians*.

26. In the mean time one of the *Perſian* Spies, diſcovers to *Juſtinian* much of their affairs, and that a Nation of *Maſſagetes* was coming into *Perſia*, and thence were to invade the *Romans* with an Army of that Kingdom. The Emperour having had experience of the Man's truth, perſwaded him for a reward, to go and report to the Army lying before *Martyropolis*, that theſe *Maſſagetes* were hired by the Emperour, and were inſtantly to come and raiſe the Seige, upon which ſtory they were ſore afraid and doubtfull what to doe, when in the mean time a matter of great concernment fell out, which expedited their Buſineſs. *Cabades* the *Perſian* King died, after he had Reigned thirty years from his Impriſonment, and on his Death-bed by advice of *Mebodes* his chief Favorite, ordained *Choſroes* his Son his Succeſſour by Teſtament. The Will being kept cloſe, *Caoſes* the Eldeſt preſuming upon the Law aſſumed the Title, but *Mebodes* checked him for ſo doing, alledging that none of himſelf might take the Kingdom, but by the Votes of the principal *Perſians*. *Caoſes* never ſuſpecting the great Officers, gladly referred the matter to their Cognizance, who when they perceived what was the determination of *Cabades*, out of reverence to his Virtues declared *Choſroes* King of *Perſia*. The Report hereof being carried to the Camp before *Martyropolis*, the *Perſian* Generals not knowing in what condition the affairs of their Countrey ſtood, and ſtill being afraid of the *Maſſagetes*, began to liſten to *Sittas* and *Hermogenes*, who not being able to releive the Town, preſſed them much to ſuſpend all Acts of Hoſtility, and retiring home to ſuffer Ambaſſadours to take up the Quarrel, and for the reality of the Embaſſy they offered Hoſtages. The Hoſtages being received, the Army

Cabades dies.

The Seige raiſed.

Sect. 1. drew off and returned home. Which done, the *Hunnes*, or *Massagetes*, shortly after entred the *Roman* Territories, and finding no *Persian* Forces to joyn with them, in a few days also returned home.

27. *Hermogenes* with his fellow Ambassadours, *Rufinus*, *Alexander* and *Thomas*, had Audience of the *Persian* King at the *Tigris*, who upon their Arrival released the Hostages. To make him tractable they used flatteries, little becoming the Character they bore, which moved him to conclude a perpetual Peace for an hundred and ten Centenaries, on condition that the Commanders of the Forces in *Mesopotamia* should reside no longer at *Daras*, but at *Constantina*, as formerly they had done. But the Forts in *Lazica* he resolved to restore, and yet demanded of the *Romans* restitution of *Bolus* and *Pharangium*. Now a Centenary weighed one hundred pound weight, so called of *Centum* in Latin, (containing of our money, as some reckon, three hundred forty six thousand, and five hundred pounds,) and this Gold he demanded to quit the *Romans* from demolishing *Daras*, and sharing in the charge of the Garrison at the *Caspian* Gates. The Ambassadors agreed to all but the Forts, alledging that they could not deliver them without expres Licence first had from the Emperour. It was resolved therefore to send *Rufinus* to *Constantinople*, about these particulars, prefixing him for his Journey seventy days, the rest being to stay till his return. *Justinian* hearing the terms, the *Persian* stood upon, gave his consent; but *Chosroes* having a false story, how that he was offended with *Rufinus*, and had put him to death, in great Anger invaded the *Roman* Territories with an Army. When *Rufinus* returned and met him near *Nisibis*, it was resolved to consummate the Peace, and the money was brought into Town by the Ambassadours.

28. But now again, *Justinian* repenting the quitting of the two Forts, wrote to his Ambassadours not to part with them, whereupon *Chosroes* refused to conclude the Treaty; *Rufinus* considering how unluckily he had brought the money into the *Persian* Dominions, cast himself at the King's Feet, begging of him safe conduct for the money, and to defer his designed Invasion. *Chosroes* granted all for his sake, so that the Ambassadours carried the money back to *Daras*, and the *Persian* Army retreated, which made them jealous of *Rufinus*, and accuse him to the Emperour, because the King had yeilded to every thing at his perswasion. But the Emperour neglected the complaint, and sent him shortly after back to the *Persian* with *Hermogenes*, and they concluded that each should restore what had been taken in this War, *viz.* The *Romans* the Forts of *Bolus* and *Pharangium*, and the *Persians* the places in *Lazica*. That there should be no Commanders of Forces residing in *Daras*. And for the *Iberians* now at *Constantinople*, they had free liberty either there still to continue or return home. Thus was concluded the perpetual Peace, as it was called in the fifth year of *Justinian's* Reign, the DXXXII of the ordinary *Æra* of Christ; for which were no Consuls nominated, no more than for that preceding it, and therefore in the *Fasti* it is thus marked, The second after the Consulship of *Lampadius* and *Orestes*.

A perpetual Peace concluded,

Pergo ad hujus Sect. paragraph 128.

29. *Belisarius* as we said, before the conclusion of the Peace, was sent for to make War against the *Vandals*, which the Emperour *Justinian* had secretly and with himself resolved. But not a word was spoken of his sending an Army into *Africk*: It was onely given out that he was discharged of his Government. But when the Peace was now fully completed, and all was well at home, the Emperour at a Consultation held with his great Officers, acquainted them that he would raise an Army against *Gebiner* and his *Vandals*. The most of them disliked it, remembring the overthrow of *Basiliscus*, of that great Fleet of the Emperour *Leo*, the Souldiers lost and the vast debt contracted by the State. Above all, the Prefect of the Palace was netled at it, and all Officers belonging to the Revenue, who quickly apprehended that they must without end supply the necessities of the War, without being as they were wont admitted to Excuse and Delay. Every Commander also doubted of the Employment, apprehending the greatness of the hazard, in the first place to pass the Sea, and then to incamp in an Enemies Countrey, and immediately upon Landing to grapple with a great and potent Kingdom. The Military men, newly returned from a tedious and difficult War, were no-what pleased they should be led to a Sea Fight, a thing they had never heard of, and that before they had scarcely tasted of home Contentments. All others were indifferently affected, as content to be Spectatours of other mens dangers. However of those who were against the Expedition, none dared to cross it, but *John* the Prefect a *Cappadocian*, being the boldest and smartest man of his time, who laid before the Emperour the difficulty of the Enterprize. For his Army must either march by

Justinian consults about a War against the *Vandals*.

John the Prefect against the War.

Sect. 1. by Land an hundred and forty days Journey, or Sail to the utmost bounds of the Great Sea, as he called it; so that the very News of the success must be a year coming to him. Grant he should have the better, he could not be Master of *Africk*, both *Sicily* and *Italy* being in other Hands. And if Fortune should prove Cross, he must needs draw the War upon his own Dominions, and indanger his Affairs now well setled. The Emperour for these Reasons let fall his eagerness for the War. But a Bishop out of the East got Access to him and told him, that God had charged him in a Dream, to blame him for having undertaken to deliver the Christians of *Africk* from Tyranny, and now to grow cold upon no ground at all, whereas I will assist him, said he, and make him Master of that Countrey. Upon this the Emperour could hold no longer, but made preparations both by Sea and Land, requiring *Belisarius* to fit himself for the Expedition.

But the Emperour is prevailed with by a Bishop to undertake it.

30. Here being ready with him to pass over into *Africk*, where we are to make some stay, we must first set all in order at home in point of History, and discharge our selves of a tumult which happened at *Constantinople*, a little before the Conclusion of the Peace with *Persia*. *Marcellinus* Writes that it happened in *January* on the *Ides* thereof, in the fifth year of *Justinian*, through a Conspiracy made against him by three Persons that were Cousin Germans, *viz.* *Hypatius*, *Pompeius* and *Probus*, the Nephews of *Anastasius* late Emperour. Each of them indeavouring to set up for himself. That the City hereby was much wasted for four days together by Fire, Sword and Rapines; and that on the fifth, when they intended to force the Palace, *Hypatius* and *Pompeius* were set upon, knocked down and Slain, great numbers being killed in the *Circus*, and the Companions of the Usurpers, who were fled for it, proscribed. *Procopius*, giving us a fuller Relation of the matter, premiseth that the Commons of every City, anciently divided themselves into the *Veneti* and *Prasini*, the *Blews* and the *Greens*; but of late about these Names and Colours wherein they stood to see Sights, they consumed their Estates, abandoned their Bodies to Tortures, and refused not the most shamefull Death. They would run the danger of fighting with their Opposites, being sure, should they get the better, to be haled to Prison, and after extreme torturing, to be killed. There grew so ridiculous an hatred betwixt them, that it was without ground, and no Kindred, Alliance, Religion, or indeed Divine or Humane things or consideration whatsoever could withstand it. What became of themselves or any thing else they cared not, so their Party did but prosper. The very Women did partake in this Abomination, not onely as the followers of their Husbands, but often being their Opposites, though they were never wont to go to the Theatre, nor had other Inducements. Our Authour knows not what to call it, but believes that it was a Distemper of the Imagination or fancy; however thus it was in every City and Corporation, and this gave original to that Mutiny, he thence proceeds to describe.

A great Tumult happened before the Peace at Constantinople.

Vide Baronium ad h. A.

The Factious in Cities distinguished by Colours.

31. But before we follow him, seeing that this madness did so ordinarily rage, and was of such consequence as to produce strange and dismal effects in the Common Wealth, it will be convenient to inquire farther into the Original and manner of these Distinctions. Some have Written that *Onomaus* first found out those Colours of the *Circus*, by which the Factious People distinguished themselves, and that thereby he as it were represented the Contest of the Earth and Sea. They cast Lots, and he who happened to act the part of the Earth in the Contest, put on a *Green* Garment; but he that was for the Sea, was Clothed with one of a *blewish* Colour. That this Contest *Onomaus* instituted on the twenty fourth day of *March*. If so be the *Green* Colour had the better, all hoped for plenty from the Earth, if the *Blew*, they expected Serene and safe Navigation; therefore Husbandmen wished for the Success of the *Green*, and Seamen of the *Blew*. But as the People thus distinguished themselves by these Colours, so did the Chariot drivers that ran the Races in the *Circus*. And *Tertullian* tells us, that at first there were onely two of these Colours, *viz.* the *White* and the *Russe*, or Reddish. The *White* was devoted to Winter, by reason of the Snow, and the *Russe* (so he calls it) to Summer, because of the redness of the Sun. But afterwards as both Pleasure and Superstition increased, others Consecrated the *Russe* to *Mars*, others the *White* to the *Zephiri*, the *Green* to *Mother Earth* or Spring, and the *Blew* to *Heaven* and *Sea* or *Autumn*. But whereas, saith he, all Idolatry is Condemned by God; that is also condemned which is profaned by the worldly Elements.

Their Original.

Vide quæ citat Alamannus ex antiquis Historiarum Collectaneis, Cod. Vat. in Notis ad Arcan. Hist. p. 30.

De Spectaculis, c. 9.

32. It seems therefore, that at the first these Colours were taken up by such as made Contests, or celebrated Games in honour of these Elements, (which *Tertullian* accounts Idolatrous,) and that time and Custome bringing these heathenish Solemnities into every City and place any whit considerable, they continued such

Sect. 1. contentions in their Cirques or Hippodromes, and at length the Spectatours took upon them the Names, if not the Colours which at first the Actours onely wore, and divided themselves as their Affections or other Inclinations carried them, to that prodigious excess as *Procopius* relates. In *Rome* these four Factions had been

The Factio Prasina. from the beginning of the *Cæsars*, and before. The colour they called *Prasinus* was *Green* like that of a *Leek*, there being also a Gemm of this Name and Colour. *Caius Caligula* was so extremely addicted to this Faction, that he supped and was commonly to be found in the Stable belonging to the Chariot drivers, and he would drive himself in the place which was called *Caianus* after him. Its also reported of *Verus* that he loved these *Aurigæ*, favouring this Faction of the *Prasini*. Of *Commodus* that at his own House he would drive Chariots clothed in this colour, where he killed a great number of wild Beasts, as he did many also publickly.

Vide Onuphrium de ludis circensibus. c.10.

Russata. And of *Elagabalus* that he did the same thing. The Faction called *Russata* as also *Rosea*, and *Rubea* or *Russa*, was also of old in *Rome*; *Livy* making mention of one of those Drivers or a *Russatus Auriga:* and *Pliny* relates that it was found in the Acts of *Felix*, another of this sort (*Russati Aurigæ*) that fire being put to his Funeral pile, one of his favorours cast himself upon it. This Faction is called by *Martial*, *Coccina*. And *Onuphrius Panninius* mentions two Marbles with their Inscriptions dedicated to the memory of two Drivers, or as they are there called *Agitators* of this same Faction.

Alba. 33. Of the third Faction called *Alba* or *Albata*, because the Drivers were Clothed in white, mention also is made by *Pliny*, as *Onuphrius* observes, as also in

Veneta. an ancient Table of Stone described by him. Of that of the *Veneti* or *Venetiani*, as sometimes it is read, there is a large account, for which *Vitellius* the Emperour had so much respect that he killed some of the multitude for openly cursing it, as done in contempt of himself, and out of the presumption of some new hope. *L. Verus* was abused by them because he most idly sided against them. *Caracallus* drove Chariots himself in this colour. These four Factions had their Stables for their Horses which ran Races in the *Circus*, near the *Circus Flaminius*. To these four ancient, *Domitian* added two more, one of a Golden and the other of a Silver, (some say Purple) colour; but after his Death, when all his Acts for his Cruelty were rescinded by the Senate, its probable they were again abolished, and so four remained as before, though *Dio* speaks of six Chariots which ran in the *Circensian* Games in the days of *Commodus* and *Severus*. But whether four or more than four, the principal Factions most taken notice of, most daring, petulant, and indeed in a

The Prasini & Veneti most factious and remarkable. manner onely factious and seditious, were the *Prasini* and *Veneti*, especially toward and in the time whereof we now write. The whole People in a manner was divided into them, and when met in the *Circus*, broke out into unspeakable impudence and violence, taking occasion to vent other Acts of emulation and malice, than what related to the Races run by their several Drivers. The Emperour had a particular Officer, who was his mouth to them, as was the *Quæstor* in the Senate, who prescribed what he would have done, and checked their tumultuous humour. But the Emperours might thank themselves for the Disorders that happened, most of the Debauched and Extravagant Princes having of old driven Chariots themselves, and others of them addicted themselves with too much zeal and favour to one of the Factions against the other.

The beginning of the Mutiny called Nica. 34. So is *Justinian* reported to have done, as we shall hear with both Ears, from the pretended History of *Procopius*; let us now attend this Authour in his unquestionable Relation of this Mutiny. At this time, then, he saith the Prefect of the City led some *Factionists* to Execution. Thereat both Parties took Allarm and agreeing betwixt themselves, first rescued the men, then broke the Prisons, and let out all sorts of Malefactours; and at last without any respect to Authority, killed the Officers of the Prefect. The Citizens who were of neither Faction, fled to the opposite Continent, and the City as if under an Enemy was set on Fire. The Temple of St. *Sophia*, the Bath of *Zeuxippus*, the *Emperour's* Court from the Porch to the Temple of *Mars*, the great *Porticus* reaching to *Constantine's Forum*, and the Houses of many great men, with much wealth were consumed. The Emperour and Empress with some Senatours shut themselves up in the Palace, and stirred not. The word of the Mutineers was *Nica* or overcome, and thence this

John the Prefect. Mutiny was afterward called by that Name. At this same time one *John* a *Cappadocian* was *Præfectus Prætorio* of the East, and *Tribonian* a *Pamphylian* was *Quæstor* to the Emperour. *John* was a man altogether unlearned, scarcely able to Write, but of excellent natural Abilities, the most powerfull man *Procopius* ever knew, both to discern what was fit to be done, and in doubtfull things to find a Resolution,

Sect. 1. solution, but the wickedest man alive, in wickedness he employed the strength of his Parts, without respect to God or men; for gain studying the Ruine both of the Estates of private men, and of whole Cities. Growing suddenly to excessive Wealth, he fell into boundless luxury, preying upon the Subjects till Dinner time, and then spending the rest of the day in Gluttony, Drunkenness and Leachery: In Sum, a man greedy to get money, and more lavish in spending it.

Tribonian the Quæstor. *Tribonian* on the other side, over and above his great natural Abilities, had attained to such excellency of Learning, as he was inferiour to none of his time. But in the methods of Covetousness, as industrious as the other, being ever ready to sell Justice for gain, making and repealing Edicts every day, ever selling them to any one who had occasion to use them.

35. During the Quarrels of the People about Names and Colours, there was little said concerning the misgovernment of these men. But when they consented, and were now formed into a Mutiny, they openly railed upon them, and consulted how they might kill them. The Emperour to appease the Tumult put them

Turned out of their Places. both out of their Places. To that of Prefect he advanced *Phocas* a *Patritian*, a wise man and naturally addicted to Justice, and *Basilides* also a *Patritian* and a famous honest man he made *Quæstor*. But the Mutiny raged nothing less. On the fifth day thereof towards Evening, the Emperour caused *Hypatius* and *Pompeius*, Nephews of *Anastasius*, to retire from Court to their own Houses. At first they delayed to do it, which made him more earnest they should, though they pretended it was not fit to leave him; for he was jealous of them, and they feared that the People would force them to the Empire. And so it came to pass; for the Mutineers hearing that they were retired from the Palace, the next morning ran to

Hypatius saluted Emperour by the Mutineers. them, and saluting *Hypatius* Emperour, conducted him to the *Forum* to take the Government upon him; *Maria* his Wife, a sober discreet Woman, crying, lamenting, and protesting that they were leading him to his Death, and hanging upon him to stay him till they forced him from her. Having by plain constraint brought him to the *Forum* of *Constantine*, they proclaimed him Emperour of the *Romans*, binding about his Head a Golden wreath, for want of a Diadem.

36. The Senatours, as many as were not in the Palace, joyned, and the opinions of many were to trie their Fortunes at the Palace; but *Origen* a Senator perswaded them not to hazard all at one push, but carry their business leasurely, not doubting but *Justinian* would run away. *Hypatius* then bade them lead on to the *Circus*, as some thought purposely out of affection to the Emperour, who now consulted whether he should stay or fly by Sea. Many speeches were made, but

The Empress stays the Emperour from running away. the Empress *Theodora* with a manly Courage dissuaded him from stirring, affirming Death better than Exile or Deposing, and sticking to that old saying, *How brave a Sepulchre is a Kingdom?* Hereat taking Courage, they considered how they might defend themselves. All the Souldiers who lay Quartered about the Palace or elsewhere, neither affected the Emperour nor joyned in the Mutiny, but expected the Event. All his hope was in *Belisarius*, who being newly come from the *Persian* War, had brought with him a strong Guard of Lanciers, Targetiers and others, all old Souldiers. And *Mundus* the *Magister Militum* of *Illyricum*, being sent for to *Constantinople*, chanced to bring with him a Troop of *Heruli*. *Hypatius* in the *Circus*, went directly and sate down in the Emperour's Seat, where he was wont to behold the Horseraces and other Exercises. But out came *Mundus* by the Gate *Cochlea*, so called from its round shape like the shell of a Snail. *Belisarius* first resolved to set upon *Hypatius* in the Imperial Seat, and called at an Hall where was wont to be a Guard of Souldiers, bidding them open the Doors for him to go against the Usurper. But they resolving to expect who should be Conquerour, made as if they heard him not, upon which he returning to *Justinian*, cried out that all was undone, because the Souldiers had revolted.

37. But being directed by the Emperour through the Brazen Gate and the Portal, and passing with much danger and toil, through Rubbish and places half burnt, he got to the *Circus*. Being come to the Gallery of the *Veneti*, which was to the right hand of the Emperour's Seat, he thought to set upon *Hypatius*, but fearing to be cut in peices in a narrow passage, he resolved to fall on the innumerable Multitude which crouded together. Drawing his Sword, and bidding the rest doe the like, he ran upon them with a great Shout, who seeing Armour, and old Souldiers hewing them down unmercifully, fell to running away. A fearfull cry being

Belisarius and Mundus quell the Mutineers. made, *Mundus* rusht into the *Circus* also at the Gate called *Neera*, and so between them both, the Mutineers were cut in peices. Of the common People were slain more than thirty thousand. *Hypatius* was pull'd out of the Seat, none resisting, by *Boraides*

Sect. I. *raides* and *Justus* the Emperour's Nephews, and led together with *Pompeius* to *Justinian* who commanded them to Prison. *Pompeius* little versed in Affairs of the World, could not refrain from weeping, but *Hypatius* chid him, saying, that men who perished unjustly, ought not to be lamented, as they being forced by the People first, and then coming to the *Circus* for no hurt to the Emperour. However the Souldiers killed them both the next day, and cast their Bodies into the Sea. *Justinian* confiscated their Estates, as of all the Senatours that had joyned in the Mutiny, and afterward when he had given away all their best Lands and Goods, restored to them and the Sons of *Hypatius* and *Pompeius* their former Dignities, with so much of their Estates as he had not given away: so ended this Mutiny. *Tribonian* and *John* were restored to their Places. *Tribonian* being a pleasant fair spoken man, and able to veil his Covetousness with abundance of Learning, died in his Bed without any other disgrace, of whom we are to speak upon a better occasion. *John* was troublesome to the World, and being both a publick grievance and terrour, at length after several years came to such an end as he had deserved. Of which hereafter.

Hypatius and *Pompeius* killed.

Tribonian and *John* restored.

38. Such is the Relation made by *Procopius*, concerning this Mutiny, thenceforth called *Nica*. This is strange in it that both the Factions, *Veneti* and *Prasini*, should joyn against the Emperour. For, he is exceedingly blamed, even as a madman, for siding with the *Veneti* against the other. We have another story told concerning the Mutiny being begun by the *Prasini*, who clamorously demanded Justice against *Calapodius* a Bed-chamber-man, and a *Spatharius*. But *Procopius* himself distinguisheth as to the time, betwixt that space wherein these Mutineers contended about Names and Colours, which it seems was three or four days together, and that wherein the Factions joyned together, and then demanded Justice against *John* and *Tribonian*. During the Contention betwixt themselves, and while they were divided, the *Prasini* found occasion to quarrel with the Emperour about *Calapodius* a Bed-chamber-man, and a *Spatharius*, as *Theophanes* relateth out of the ancient and publick Monuments of *Constantinople*. Now because from this sparke proceeded so great a flame as was that of *Nica*; and because as in some Picture, *Alamannus* tells us, may therein be discovered the State of the Empire as now it stood, the humour of *Justinian*, the licentious demeanour of the multitude, in the *Circus* and Theatre, and other things relating to the clearing of the History of these times, we shall transcribe the Relation as we find it worded, Dilogue or scolding-wise, betwixt the Emperour's *Mandator* and the Factionists, though the style and expressions be very rude and bald.

Apud Alaman in. Notis p. 62.

39. The Rebellion (it begins) called *Nica*, happened after this manner. Both the Factions met in the *Circus*, and the *Prasini* or *Greens* with great clamours required that *Calapodius* of the Bed Chamber, and a *Spatharius*, might be proceeded against according to Law. *Prasini.* Long mayst thou live, *Justinian Augustus*. I suffer unjust things, Good *Cæsar*, neither can I bear them, God is my witness, but I dare not mention any Person lest I should procure him better fortune and, for so doing, danger to my self. *Mandator.* Who is that? For I am ignorant of the matter. *Pras.* He that injures me lives in the Region of Tailors, most August Prince. *Mand.* No body injures you. *Pras.* One there is and he alone who deals unjustly with me. So may he never lift up his Head, O Mother of God. *Mand.* Who is this? for we know nothing of it. *Pras. Calapodius* the *Spatharius*, my Sovereign, it is he that injures me. *Mand.* But *Calapodius* hurts no body. *Pras.* Whosoever he is, let him perish as *Judas*. Let God punish him that injures me, and that speedily. *Mand.* Ye come not hither to behold the Shews, but to revile your Governours. *Pras.* Whosoever, I say, vexeth me with Injuries let him perish as *Judas*. *Mand.* Be quiet, ye *Jews*, *Manichæans* and *Samaritans*. *Pras.* Do you call us *Jews* and *Samaritans*, and the Mother of God is propitious to us? *Mand.* How long will ye pour out Curses upon your own Heads? *Pras.* Whosoever saith not that the Emperour doth believe aright, Anathema to him as to *Judas*. *Mand.* If ye will hear me, be all baptized into One. *Pras.* They tumultuously cry out, as *Antlas* Commanded, I am baptized into One. *Mand.* Absolutely, if ye will not be quiet it shall cost you your Lives. *Pras.* Every one indeavours to usurp that he may be secure. But if we who are afflicted, if we say any thing, let it be interpreted in the best Sense by your Majesty, for the Divine power beareth with all. We have a Tryal to be, O Emperour, and therefore we speak all. Forasmuch, Mighty *Augustus*, as there is neither Court nor any Establishment of Polity; then I go onely forth into the City when I am at *Burdone*; and I wish, Mighty *Augustus*, not then neither. *Mand.* Every Freeman may freely go whither he pleaseth. *Pras.* I am

The eluding Language betwixt the Emperour's *Mandator*, and the Mutinous *Prasini*.

I am confident of my liberty, yet am not permitted to come abroad. What Freeman soever he be, if he be suspected to be of the Faction of the *Prasini*, he is openly punished with loss of the Light. Sect. I.

40. *Mand.* Ye that are near to destruction, spare ye not your own lives? *Pras.* Let us indeed that bear this Colour be cut off; And let there be no such thing as that called Justice. Abstain from slaughters, and then let us be punished. As those Waters flow from the Fountain, so let their Bloud flow, whom thou wouldst have punished. But those two things (*Injustice* and *Cruelty*) humane Nature absolutely abhors. O would *Sabatius* (the Father of *Justinian*) had never been born, and then he had not had a Son of bloud. Now the six and twentieth Murther hath been committed at *Zeugma*. In the Morning he was a Spectatour, and in the Evening he was killed. O Sovereign! *Veneti*. Amongst you onely are to be found Murtherers in the *Circus*. *Prasini*. And when didst thou part hence without bloud? *Ven.* As for thee, thou without any cause fallest on killing. For as I said of such as meet in the *Circus*, those that kill are onely to be found amongst you. *Pras.* Our Lord *Justinian*, They provoke others, and no body kills them. I think he that hath no mind to it, understands this. O Emperour, who killed the Carpenter at *Zeugma*? *Mand.* Ye killed him. *Pras.* Who killed the Son of *Epagathus*, O Emperour? *Mand.* And that did ye; but ye draw the *Veneti* into the guilt. *Pras.* Now, Lord have mercy upon us. How is Truth oppressed! And one would almost now dispute with them who contend that humane Affairs are governed by Providence. How comes this Misfortune? *Mand.* God is no Tempter of evil things. *Pras.* True, God is no Tempter of evil things. But who oppresses me unjustly? Go to. Whether thou beest a Philosopher, or an Hermite, give a distinction of both: *Mand.* Ye Blasphemers and impious, when will ye be quiet? *Pras.* Seeing such is your pleasure, most *August Sir*, I am quiet, though unwilling. I know all and every thing, but I am silent. Justice farewell. There's no place left for thee now. I will be gone, that I may turn *Jew*. It's absolutely better, and to be initiated in the Rites of the *Gentiles*, God knows, than to agree with the *Veneti*. *Ven.* Let me not see such wickedness; yet the hatred of you provokes me to wish it. *Pras.* Let their Bones be digged up after death that will stay here to gaze. So the *Prasini* departed, leaving the Emperour and the *Veneti* in the *Circus*. It seems however that both Factions afterward agreed to join against the Emperour; a wonderfull thing! But how infirm must this Government have been, which was continually in danger from the Meetings of such multitudes together, where so many thousands, though of one Faction, were unanimous, as we see they spake as one man in the first Person singular. Their boldness was such as scarcely could a Prince bear, who had life and death in his power, so long at least as they were pleased to permit it. Now we have cleared all at home, though long first, and left no disturbance behind us; we must therefore launch forth, and attend upon *Belisarius* into *Africk*. But we must first clear the way for him, by declaring who they were he was to conquer; and what Dominion, Kingdom or Power it was that he was sent to subdue.

Belisarius sent against the *Vandals*.

41. *Africk* then, the Reader may remember, was seized by *Genserick* or *Gizerick* and his *Vandals*, who were called in by *Boniface* the *Roman* General, disobliged by *Placidia*, the Emperour *Valentinian*'s Mother, through the tricks of *Ætius*. They were both great Souldiers, inferiour to none of their time, and so high in worth and spirit, that in the opinion of *Procopius*, he shall not err who calls either of them the last of the *Romans*; but they always differed in publick Affairs, and the emulation of *Etius* procured the loss of *Africk*. How *Boniface* too late repented he had called in the *Vandals*, and was beaten by *Genserick*, we have seen; as also how *Genserick*, proceeding in his design, subdued *Africk*, setled his Interest therein, took *Rome*, and became troublesome to all his Neighbours. How the vast Army and Fleet sent to chastise his Insolence by *Leo*, miscarried through the treachery of *Basiliscus* we have also heard, moreover of the Design of *Majorianus* to recover *Africk*; how he disguised himself as the Emperour's Ambassadour to make a discovery, but died when the *Romans* had good hope to recover that Countrey. *Genserick* having either by force or artifice shaken off his Enemies, harassed the *Roman* Provinces more than ever, till *Zeno* came to a Treaty with him, and a perpetual Peace was concluded; That the *Vandals* should commit no Acts of Hostility against the *Romans*, nor from them receive any. This Treaty was observed all the time of *Zeno* and *Anastasius* his Successour, and during the Reign of *Justin*. *Genserick* at length died a very old man, having reigned over the *Vandals*, from the taking of *Carthage*, seven and thirty years.

Who they were.

Genserick, their King.

42. By

Sect. I.

Honorick.

42. By his Teſtament he charged the *Vandals* that the Kingdom ſhould fall ever to ſuch Male deſcendent from himſelf as was eldeſt in years. *Honorick* his eldeſt Son ſucceeded him, *Genzo* being lately dead; and during his Reign the *Vandals* had war onely with the *Moors*, who being rid of *Genſerick* who kept them in awe, did the *Vandals* much miſchief, and received much from them. But this *Honorick* was moſt cruel and unjuſt to the Chriſtians of *Africk*, forcing them to turn *Arians*, or for refuſal, burning, and in ſeveral ſorts deſtroying them. From many he cut out their Tongues by the roots, who, *Procopius* writes, ſo his time lived in *Conſtantinople*, ſpeaking perfectly, and feeling no manner of inconvenience from that torture. Two of theſe medling with light Women after it, loſt their Speech. *Honorick* having reigned eight years, died of ſickneſs, at which time the *Moors* held *Auraſium* a Mountain of *Numidia*, thirteen days journey Southward from *Carthage*, and there lived in liberty, having ſhaken off the yoke of the *Vandals*, who could not make war againſt ſo high and craggy a Mountain. By the death of *Honorick* the Kingdom came to *Gundamund*, the Son of *Genzo*, and Grandſon of *Genſerick*, having the advantage of years above any of his Race. He had many Battels with the *Moors*, vexed the Chriſtians in the moſt extreme manner, and died in the twelfth year of his Reign. His Brother *Traſamund* ſucceeded, a goodly man, wiſe and magnanimous. He alſo laboured to make the Chriſtians change their Religion, not by Tortures, as his Predeceſſours, but by courting them with Honours and Offices, and with large Gifts; taking no notice of ſuch as would not ſubmit. If he found a man in a great crime, he offered him impunity to change his Religion.

Gundamund.

Traſamund.

43. Having loſt his Wife, and being without Children, out of deſire to eſtabliſh the Succeſſion, he asked in marriage *Amalafrida*, the Siſter of *Theoderich*, King of the *Goths*, whoſe Husband was lately dead. He ſent him his Siſter with a Guard of one thouſand ſelected *Goths*, who were followed by five thouſand more fighting Men; and he gave her *Lelybæum*, one of the Promontories of *Sicily*. *Traſamund* ſeemed the moſt powerfull of all thoſe who had governed the *Vandals*, and moſt illuſtrious; yet in his Reign they received a great overthrow from the *Moors*. *Cabaon* who was Prince of the *Moors*, inhabiting about *Tripolis*, a man experienced in many Wars, and very witty, hearing that the *Vandals* would be upon him, firſt injoined his People to forbear unjuſt dealings, delicious diet, and eſpecially the company of Women. He made two Intrenchments; in the one he lodged himſelf and his Men; and in the other he ſhut up the Women, making it death for any Men to go into their Intrenchments. This done, he ſent Spies to *Carthage*, with direction to obſerve what indignities the *Vandals* in their march offered to Chriſtian Churches, and when they were gone from the place, that they ſhould doe the quite contrary. And he ſaid he was ignorant indeed of the God whom the Chriſtians worſhipped; But it was likely, if he was ſo powerfull as they ſaid he was, that he would puniſh thoſe that ſcorned him, and defend thoſe that honoured him. The Spies having obſerved the preparations of the *Vandals* at *Carthage*, followed the Army in a poor diſguiſe toward *Tripolis*. The *Vandals* in their firſt days march lodged in the Churches of the Chriſtians, put into them their Horſes, and other Beaſts, and ſpared no kind of indignity. They practiſed therein all lewdneſs, and beat and whipt the Prieſts they found, commanding them Duties which they impoſed on their meaneſt Slaves.

44. So ſoon as they were gone, the Spies of *Cabaon*, according to their order, cleanſed the Churches, lighted the Lamps, did low reverence to the Prieſts, and uſed them courteouſly, and to many Poor about theſe Churches gave Money, and then followed the *Vandals*. In all the Journey they mended what the *Vandals* did amiſs; and getting before to *Cabaon*, told him how far off the Enemy was, and what they had done to the Churches. He preſently then prepared for a Fight. The Field he choſe to intrench in, he took in with a circle, and placed his Camels The Field he choſe to intrench in, he took in with a circle, and placed his Camels deep. The ſide-long in a round to fence his Camp, making the Front twelve Camels deep. The Women and Children, unſerviceable Men and Baggage he put in the middle, and his fighting Men he placed within the Legs of thoſe Beaſts, having Shields to ward with. To ſuch a kind of Battalion he *Vandals* knew not what to doe, being neither Archers, nor Darters, nor good Infantry, but moſt Horſemen, uſing the Lance and Sword, and not able to hurt an Enemy afar off. Their Horſes not enduring the ſight of the Camels, would not approach the Enemy, who plying them with Darts from a ſafe place did ſuch execution upon them and their Horſes, that they ran away. The *Moors* followed the chaſe, and took and killed ſo many, that few got home. Such fortune had *Traſamund* with the *Moors*, and after ſeven and twenty years died.

45. *Hilde-*

Sect. I.

Helde-rick, virin eximiis pollens.

Hilderick.

45. *Hilderick* the Son of *Honorick*, and Grandſon of *Genſerick*, ſucceeded, a Prince mild to his Subjects, and not harſh to Chriſtians or any elſe, but fainthearted, not enduring to hear of War. *Hoamer* was his General, his Nephew, and a good Souldier, whom they called the *Achilles* of the *Vandals*. In his Reign the *Vandals* loſt a Battel againſt the *Moors* of *Byzacium*, commanded by *Antallas*, and quarrelled with *Theodorich* and the *Goths* in *Italy*. For *Amalafrida* they kept in priſon, and put all the *Goths* that attended her to death; pretending they preached againſt their King and State. And this *Theodorich* was not in capacity to puniſh, wanting a Navy to make war upon *Africk*; and *Hilderick* was an ancient Friend of *Juſtinian*, who then had the Government in his own Hands, (his Uncle *Juſtin* being very old, and not skilled in Affairs of State) and they courted each other with Preſents. But there was of the Race of *Genſerick* one *Gelimer*, the Son of *Gelilac*, the Son (or Nephew by his Son *Genſon*) to *Genſerick*, who being next in years expected to ſucceed *Hilderick*. For War he was renowned, but wicked of diſpoſition, and skilfull in Mutinies and Rapines. *Hilderick* had yielded to him the management of Affairs; but perceiving his Reign to come ſlowly, he could not content himſelf with that condition, but made a Party, and perſuaded the Principal *Vandals* to depoſe *Hilderick* as a Coward, and beaten by the *Moors*, and one who betrayed the State to the Emperour *Juſtin*, to keep the Kingdom from him who was of the other Houſe; and this he ſaid was the intent of the late Embaſſy to *Conſtantinople*. Upon theſe perſuaſions they did ſo. And *Gelimer* being advanced to the Kingdom, ſhut up *Hilderick* in Priſon in the ſeventh year of his Reign; as alſo *Hoamer* and his Brother *Euagees*.

Gelimer, Pecuniosus Princeps.

Gelimer cauſeth him to be depoſed, and ſucceeds.

Oam-mer, Cognatorum Princeps, Euages, pro lege fortis.

46. *Juſtinian*, who was now Emperour, having notice of it, ſent Ambaſſadours, and wrote to *Gelimer*. He told him that he acted not religiouſly, nor as was due to the Teſtament of *Genſerick*, to keep in priſon an old Man of his Bloud, and his King too, if *Genſerick's* wiſe Conſtitution was worth any thing; and to force him from a Kingdom, which ſhortly he would have by Law. He adviſed him not to proceed in Evil, nor change the Title of a *King* for that of an *Uſurper* for a little advantage of time; but to let him carry the Image of Royalty to his Grave (into which he was ſtepping) he having the management of it already; and having the Subſtance to attend upon the Law of *Genſerick* for the Name. If ſo he did, he would find God propitious, and him his Friend. *Gelimer* herewith was onely ſo far concerned, as to ſend away the Ambaſſadours diſſatisfied, to put out *Hoamer's* Eyes, and to keep *Hilderick* and *Euagees* in ſtraiter priſon, accuſing them to have attempted an eſcape to *Conſtantinople*. Upon this *Juſtinian* ſent other Ambaſſadours, and told him that he did not think he would have done quite contrary to his Advice. But ſeeing it pleaſed him thus to get a Kingdom, he bid him take what Fortune gave him; but he would have him ſend *Hilderick*, and blind *Hoamer* and his Brother to *Conſtantinople*, to get ſuch comfort as men were capable of, who had loſt Kingdoms and Eyeſight. If this he refuſed to doe, he would not endure it. The hope they had in his Friendſhip, he ſaid, induced him thus to act in their behalf; and the Treaties with *Genſerick* could be no obſtacle, being not to make war upon, but to vindicate his Succeſſour.

Juſtinian interpoſeth in Hilderick's behalf;

47. To this *Gelimer* gave an Anſwer, which had this direction; King *Gelimer* to the Emperour *Juſtinian*. He told him he had neither taken the Kingdom by force, nor committed impiety againſt his own Bloud. That the *Vandals* depoſed *Hilderick* for practiſing againſt the Houſe of *Genſerick*. That time had called him to the Kingdom, giving him his right of Elderſhip according to Law. That it was good for a man to govern what he himſelf had, and not incroach upon other Mens Cares; and 'twas juſt in him who had a Kingdom of his own, not to be thus medling. If he broke the Treaties and invaded, he would oppoſe him to his power, calling to witneſs the Oath ſworn by *Zeno*, whoſe Succeſſour he was. *Juſtinian* was angry before, but theſe Letters more excited him to revenge. And being, *Procopius* ſaith, an acute Deviſer, and nimble in execution, he reſolved to conclude the *Perſian* War ſpeedily, and then to invade *Africk*. *Beliſarius* General of the Eaſt was then at Court, and ſent for; but not a word of his leading an Army into *Africk*. It was given out that he was diſcharged of his Command; and the *Perſian* perpetual Peace was newly made. But all being well at home, and with *Perſia*, the Conſultation was held with the great Officers we lately mentioned, whereby the Emperour was diverted, till animated again to the Enterprize by the Eaſtern Biſhop.

But in vain.

48. *Tripolis* was already in the Emperour's Hands, being betrayed by *Pudentius* a Native. *Pudentius* was protected by *Godas* a *Goth*, and Servant of *Gelimer*, a

Sect. I.

man pragmatical and courageous, and seeming most affected to his Master. To him *Gelimer* had committed the care of *Sardinia*, and to collect the Tributes there; but his mind not digesting such a Fortune, he usurped the Island, and denied to send the Tributes, keeping them to himself. Understanding that *Justinian* sought occasion of a War with *Gelimer*, he wrote to him, and told him that not out of ingratitude, or suffering any disfavour from his Master, he had thought upon a Revolt: But considering the Man's cruelty, both to Kindred and Subjects, he would not willingly be a partaker of the same. He said it was better to serve a Rightfull Emperour, than a Tyrant who commanded things unlawfull. He prayed him therefore to consider the weightiness of the Enterprize, and to send him Forces to defend him from an Invasion. The Emperour sent *Eulogius* to him, and in an Answer commended his Wisedom and Zeal to Justice, and promised Aides, and a General sufficient to keep the Island, with assistence otherwise, that the *Vandals* should not hurt him. *Eulogius* being come into *Sardinia*, found *Godas* had taken the Title and Habit of a King, and got a Guard about him. To the Emperour's Letters he replied, that for Souldiers, he desired them, but had no need of a General; and dismist *Eulogius*.

Justinian's preparations for the War.

49. *Justinian* had prepared four hundred Men, commanded by *Cyrill*, to defend the Island for *Godas*. He had in readiness for the Expedition of *Carthage* ten thousand Foot, and five thousand Horse, levied of the Legionaries and Confederates; for transporting of whom were appointed five hundred Vessels, of which none were of more burthen than fifty thousand *Medimni*, nor of less than thirty thousand; now a *Medimnus* contained six *Modii*, in weight one hundred and eighty pounds. They were manned with twenty thousand Mariners, most *Ægyptians*, *Ionians* and *Cilicians*: the Admiral of the whole Fleet being *Calonymus*, an *Alexandrian*.

Preparations for the War with the *Vandals*.

In case of a Sea-fight, they had ninety two Pinnaces, called then *Dromones* for their swiftness (for the use and names of *Triremes* and *Liburnæ* were then grown out of date;) with one row of Oars and Decks over the head to cover them from the Enemies Shot, having aboard no Passengers but two thousand Rowers from *Constantinople*. *Archelaus* a Patritian, formerly *Præfectus Prætorio*, in *Constantinople* and *Illyricum*, went Prefect of the Camp; for so they called the Officer who made provision for the Army. Over them all was *Belisarius* Commander in chief, with absolute authority, whom by a special Commission the Emperour impowered to act and doe as he should think fit; ratifying and confirming all things so acted and done, as if he himself had given the orders. He was attended by many Launciers and Targetiers, old tried Souldiers. He was born, not in *Germany*, as some of that Nation would have it, but in *Germania*, a City of *Thrace*, in the Confines of *Illyricum*, which was a Metropolis, and is mentioned in the Sanctions of the Eastern Bishops. *Procopius* saith expresly that this *Germania* lay betwixt the *Thracians* and *Illyrians*; and he had reason to know, being both his Contemporary, and his Assessor in this very expedition; being at first afraid of the Voyage, but afterward incouraged and made eager upon it by a Dream, which he himself relateth.

Joan. Lazul. Ystoria in Excerpt. vide Aleman. in Procopii Histor. secret.

50. In the seventh year of *Justinian's* Reign, about the Summer Solstice, the Army imbarked, and *Belisarius* commanded the Admiral Gally to ride under the Palace. Thither came *Epiphanius* the Patriarch, and having made such Prayers as were suitable to the occasion, put aboard a Souldier newly baptized, whose God-father and Godmother were *Belisarius*, and his Wife *Antonina*, who named him *Theodosius*, the Man being one of their own Retainers, and much valued by them. Thus the said General and his Wife put to Sea, with *Procopius* in their company, having received the Patriarch's benediction in the manner related; for the Ancient Christians put a great stress upon Baptism, holding that by it all Sins were forgiven to the Parties, (which made them defend it till the period of their lives;) and that an Action could not better be hallowed and blessed than by celebration of that Sacrament. The Fleet following the Admiral, and coming to *Perinthus* (at that time called *Heraclia*) staid there five days, whence sailing to *Abydus* they were becalmed four days, and so had time to mutiny about two *Massagetes*, whom the General had caused to be crucified for killing in their drink one of their Countreymen. Having by a Speech appeased the minds of the Souldiers, and perswaded them to live soberly, he painted the Masts of his own Ship and two others, aboard of which was his Train, with red from the top about a third part, and set up high Poles in the Stern, on which he hung Lanthorns that they might be seen both by day and night, and thereby the Fleet be kept together. By this means he procured that not one Vessel was cast behind; and when they weighed Anchor from any Harbor, the Trumpets were sounded to give warning. From *Abydus* a stiff gale brought them to *Sige-*

Belisarius the General taketh Ship.

Procop. de bell. Vandal. lib. 1. & ex Hist. secret.

Sect. I.

to *Sigeum*, whence, being becalmed, they came to *Malea*, where the calm stood them in good stead, the want of Sea-room for so great a Fleet so much indangering the Ships by night, that although the Mariners behaved themselves very well, calling out, and with their long Poles thrusting and keeping distance from one another, yet had the Wind been great, they could hardly have kept from falling foul, and indangering the Fleet. Getting clear, they reached *Tænarus*, at that time called *Cænopolis*; whence coming to *Methone*, and the wind not serving, the General landed his whole Army.

51. Here he modelled the Army, and distributed the Commands thereof, wherein when he busied himself, lying Wind-bound, many of his Souldiers died of a sickness, occasioned by the avarice of *John* the *Cappadocian* lately mentioned. The Bread for the Army, that it might not quickly corrupt, was wont to be twice baked (whereupon it was called *panis bisc octus*, or Bisket) so that of necessity the Souldiers must have a fourth part less in weight. Now this *John* the Prefect, that he might spend less wood and wages upon the Bakers, and also gain by the weight, brought the Loaves unbaked to the publick Bath, called *Achilli*, where putting them into the Stove, under which the fire was made; when they were thus sorrily baked, he sent it in sacks to the Fleet. Being come to *Methone*, the Bread turned to dough, grew mouldy, corrupt and musty; but such as it was, the Officers distributed it to the Souldiers, who feeding on it in Summer, in a place of extreme heats, fell sick, and more than five hundred died; and more had, but that *Belisarius* procured Bread of the Countrey adjoining, for which he received thanks from the Emperour, but as then could not get *John* to be punished. From *Methone* they sailed to the Port of *Zante*, where taking in fresh Water, and other necessaries, in sixteen days they passed the *Adriatick* Sea, (so *Procopius* calls that which others know by the name of *Ionian*) and with a slack wind arrived at a desart place of *Sicily*, near to Mount *Ætna*, having all their Water corrupted, except what was drank at the General's Table, which his Wife had preserved in six Vessels of Glass, covered thick with Sand in the Hold, where no Sun could come. *Belisarius* was now got hither, but he wist not well himself to what purpose, neither knowing what Souldiers the *Vandals* were, nor how, nor whence to make the war upon them; the Souldiers also were so fearfull, that they shamed not to profess, that as on Land they would doe their best, so if the Enemies Fleet should appear, they would fly, not being able to fight with them and the Waters too. In this perplexity he sent *Procopius*, his Assessor, to *Syracuse*, to make what enquiries he could, and then to meet him at *Caucana*, twenty seven miles distant from *Syracuse*, where the Fleet should ride at Anchor. He was fully informed by an old Friend of his, concerning all circumstances; as that there was no fear of the *Vandals* way-laying them, because there was not any report of an Army coming, their best Souldiers being sent against *Godas*, and *Gelimer* being so secure, that neglecting *Carthage*, and the Sea Towns, he made his abode at *Hermione*, near *Byzacium*, four days journey from any Sea. The General receiving this intelligence with great joy, weighed Anchor, and sailed by the Islands of *Gaula* and *Malta*, whence with an Easterly wind they came the second day upon the Coast of *Africk*, to a place called *Caputuada*, five days journey from *Carthage*.

The Army suffers through the Avarice of *John* the *Cappadocian*.

52. *Belisarius* commanding Anchor to be cast, called a Council of Officers to consult about landing, and how to begin the War; some were for passing directly towards *Carthage*, both because in a tedious march through the Countrey they should meet with many hazards and inconveniences, and leave their Ships at the mercy of the Sea; or of their Enemies. But *Belisarius* considering that above all things his Men abhorred a Sea-fight, and that if he sailed directly toward *Carthage*, in all probability he must come to an ingagement, resolved to land forthwith; and taking the Horse they had brought with them, Arms and other necessaries, to intrench within a good Rampire, and thence to begin the War. The Rampire was finished the same day, and their success therein was double, lighting upon a Spring in digging, which supplied both Men and Beasts with water, a thing never heard of before in that dry Tract of *Byzacium*. Having secured the Ships by appointing eight Archers to each, and the light Gallies to lie round about them; by *Boraides*, one of his Life-guard, he took in *Syllectus*, a Sea-town in the way to *Carthage*, the Townsmen willingly delivering up the Keys. The same day the Master of *Gelimer's* Posts revolted, giving up his Horses; and one of the *Veredarii*, or Posts themselves was taken, whom the General would not suffer to receive any hurt, but giving him a good quantity of Gold, took his oath to deliver *Justinian's* Letters, which he had written to the *Vandals*, into the hands of the Governours. They were written to this purpose; that, *It was not his intent to make war upon the* Vandals, *nor infringe the*

Belisarius lands.

Sect. 1. *Treaty formerly made between* Genserick *and his Predecessors, but to free them from an Usurper, who neglecting that King's Testament, kept their Lawfull Prince in Prison, and otherwise afflicted and tormented those of his Bloud. He exhorted them to join with him in this good work, to the end that they might enjoy peace and liberty, which to observe inviolably to them, he made Oath to Almighty God.* The Man took the Letters, but durst not shew them to any, except some private Friends, and so nothing material came of this Project.

53. *Belisarius* beginning his march for *Carthage*, ordered it in this manner. To the Right hand was the Sea, and therefore on that side was no danger, the Fleet by his order keeping them company. A Forlorn-hope, consisting of three hundred Targetiers, he committed to *John* the Controller of his Houshold, by the *Romans* called *Optio*, being an *Armenian*, and a man eminent both for valour and conduct. Directing him to march some two miles and a half before, he commanded the *Massagetes* to keep on the left hand of the Army, himself bringing up the Rere, with his best Men, and expecting *Gelimer* to come shortly from *Hermione*. He governed his Souldiers so well in his passage, that by their sobriety and temperance he gained much upon the *Africans*, so that he marcht as in his own Countrey, the People neither removing themselves nor goods, but giving free Market, and doing all offices of kindness to his Men. *Gelimer* hearing of their approach, wrote to his Brother *Ammatas* at *Carthage*, to kill *Hilderick* with his Relations, and arming such *Vandals* as well he might, at a Town called *Decimum*, about eight miles from *Carthage*, where was a narrow Passage, to charge the Enemy on both sides, and intrap him. He accordingly killed *Hilderick* with *Evagees* his Cousin, *Oamer* being dead before; and prepared his Men for the design of *Decimum*. *Gelimer* also sent his Nephew *Gibamund* with two thousand *Vandals* to keep on the Enemies left hand, that so *Ammatas* from *Carthage*, he himself in their Rere, and *Gibamund* on their left hand charging together might encompass them. Thus was the Plot laid. As to the success, *Ammatas* came to *Decimum* three hours before his time, both the Armies of *Romans* and *Vandals* being then short of the Place. And he came but with a few, and those not of the best neither, leaving the main Body in *Carthage* to follow after. He killed twelve stout Fellows in the head of *John*'s Troops, but fighting valiantly was himself slain, at the sight whereof his Men were discouraged, and running away, caused the main Body to fly, who marching out of order, and seeing their Fellows running, turned head, and imagining great numbers pursued, fled back for company. In the pursuit *John*'s Troops did great execution, killing up to the Gates of *Carthage* for eight miles length such a number, that one would have guest it a work of twenty thousand Men at least.

Ammatas five Ambe-hait, Ministerius Imperans.

Gibamund five Gaue-Mund, Rerum Or.

54. At the same time *Gibamund* with his two thousand Men falling into the hands of the *Massagetes*, perished every Mother's Son without any resistence, at the Salt Plains, five miles from *Decimum*. *Belisarius* having no notice of any of these Accidents marched towards *Decimum*; four miles from which, in a convenient place, he intrenched himself. There having made an incouraging Speech to his Army, and a Prayer to Almighty God, he left the guard of his Wife and Camp to the Foot, and sallied with his Horse, sending the Confederates before him. The Confederates had not long continued their march when they were encountred by the *Vandals*, and *Gelimer* at the head of them, by whom they were easily put to flight, running away to a Town less than a mile from *Decimum*, where was *Uliaris*, one of *Belisarius* his Life-guard, and eight hundred of his Targetiers. Here the *Vandals*, concluding that *Uliaris* would receive them stoutly, made an hault, although his Troops fled amain to *Belisarius*; and *Gelimer* having the Victory in his hands, carelesly quitted it. If he had followed on the chase, the General himself had not stood him, but all had been utterly ruined, so vast seemed the number of the *Vandals*, and so great was the fear of the *Romans*. Had he rode on towards *Carthage*, he had defeated the Troops of *John*, then wholly disordered and intent upon the Plunder of the Field; whereby he should have saved the City, become Master of the Enemies Ships, and cut off both all victory and hope of a safe return. But he did none of these things, riding softly down the Hill, and then in the Plain, spending the time in lamentations after he had found his Brother's Body, and neglecting such an opportunity, as thenceforth he could never recover. For *Belisarius* caused his flying and dispersed Men to rally, and animated upon report of the success of *John* against *Ammatas*, after he was sufficiently informed, both concerning the Enemy and the Place, marched against *Gelimer* and his *Vandals*. They being unprepared, and in disorder, ran away amain; and the execution lasting till night, many of them fell. The rest fled not to *Carthage*, nor *Byzacium*, whence they came, but towards

Defeats *Gelimer.*

towards the Plains of *Bule*, and the way to *Numidia*. In the Evening *John* and the *Massagetes* came up with the Army, and both telling and receiving joyfull News, lodged with it that night at *Decimum*. Sect. 1.

55. The next day, the Foot coming up with the General's Lady, they marcht toward *Carthage*, and arriving within night, lodged abroad without the City, although they might have safely enough entred, for the *Carthaginians* had set open their Gates, the City shined all night with Lights and Bonfires, and the *Vandals* were fled to the Churches. The same day the Fleet having made the Promontory, the Citizens opened the Iron Chain of their Haven *Mandracium* to let it in, yet the Admiral not knowing of their intent, put into the Bay, called the Pool, five miles distant from the City, very commodious to harbour in, and capable of receiving the whole Fleet, of which the Haven was not. The next day the General commanded the Men ashore, and fearing the Ambushes of the Enemy, marched to *Carthage* in order of battel, but entred without resistence, having first put the Souldiers in mind what effects their moderation toward the *Africans* had produced; and admonished them to continue their good order, especially in *Carthage*. Passing directly to the Court, he sate down in *Gelimer*'s Throne, and commanded his Dinner to be given him in the place where *Gelimer* was wont to make his great Feasts, by the *Romans* called *Delphica*, from a threefooted Table standing in the Palace at *Rome*, which served for the Emperour's Cupboard, first used at *Delphos*, and now at *Constantinople*, and thence wheresoever the Emperour's Table stood, they called the Room *Delphica*. Here the General dined with his Officers of that Provision which the day before had been made for *Gelimer*, whose Servants brought in the Meat, and waited at the Table, so that he attained (all circumstances considered) an Honour scarcely to be parallell'd; moreover the Souldiers were not wont to enter into any *Roman* City, if but five hundred together, without some sudden disorder; yet did he so manage his Matters, that there was not the least insolence nor menacing word used. There was no interruption of Trade; but in a City newly taken, and full of Souldiers, in a State quite changed, all things ran in their former chanel, not a Man having his House or Shop either shut up, or molested. The publick Scribes assigned Quarters to the Souldiers by Tickets, who bought what they liked in the Market, as when all things are in deep silence and security, and not a syllable spoken of War.

Enters *Carthage*

in wonderfull order and quietness.

56. Thus was the old Prophecy, frequently in the mouths of the Boyes, verified in *Africk*; that *Gamma* must expell *Beta*, and *Beta* should expell *Gamma* again; *Genserick* having first driven out *Boniface*, and now *Belisarius* having outed *Gelimer*. The General gave his word to the *Vandals* that were fled to the Churches, and took order for repairing the Walls of *Carthage*, which were so ruinous, that *Gelimer* did not think it safe to trust himself in the City. *Gelimer* in the mean time playing at small games, procured by money and fair words the Peasants to kill many straging Slaves and Attendants upon the Army, who pilfred about the Villages, at the sight of their Heads much rejoycing, as at the loss of so many Souldiers. His Brother *Tzazon*, who having arrived with his Fleet in *Sardinia*, at the Port of *Carnalis*, had taken the Town at the first onset and slain *Godas* with his Souldiers, hearing that the Emperour's Fleet was upon the Coast of *Africk*, but nothing of the Success. Therefore did he write to *Gelimer* a triumphant Letter, the Bearers whereof sailed into the Haven of *Carthage* without the least thought of an Enemy, and were brought by the Watch before *Belisarius*, who took their Letters, and dismissed them in safety. This Passage resembled another done much upon the same time in *Spain*, whither, before the arrival of the *Romans*, *Gelimer* had sent two Ambassadours to *Theudis*, Prince of the *Visigoths*, about a League and Alliance. *Theudis* had heard all before, by reason of their slow Journeys, from a Merchant-man, who set sail from *Carthage* the same day, that the *Romans* entred it with a fair gale of Wind, and him he commanded not to divulge the News. When he asked the Ambassadours their business, and they propounded a League; he bid them go to the Seaside, and there they should hear how their Affairs stood at home, which they taking for an idle Speech of a Man in drink, neglected it, returning no reply. But the day following, when they propounded the same thing, and had the very same answer, they perceived there was some great change in *Africk*; yet not imagining that any thing had happened at *Carthage*, failed thither, and landing near the Town, fell among the Souldiers. Being brought to the General, they revealed their business, and were also dismissed without receiving any harm.

Godas slain.

Taso, Tato, Tzazo, apud Paulum, Trazo apud Procopium — Alem. Tasso, Tato coacervator. Godæ bonus.

Theud-hais. Publis Imperans.

57. During these Motions and Changes in *Africk*, *Cyrill*, whom *Justinian* had ordered to the assistence of *Godas*, came to *Sardinia*; but hearing what was become of him,

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of him, he sailed to *Carthage*, where he found *Belisarius* and the *Roman* Army victorious. *Solomon* the Assistent of *Belisarius*, such an Officer as the *Romans* called *Domesticus*, being an Eunuch not by design, but by accident in his swathing Clouts, was sent to the Emperour to give him an account of the Success. As for *Gelimer*, he made the best of the worst of Fortunes, in the Plains of *Bule*, near the Border of *Numidia*, and four days journey from *Carthage*, gathering together the *Vandals*, and such *Moors* as were well affected to him, though *Jews*, and without discipline. For their Governours throughout *Mauritania*, *Numidia* and *Byzacium* had prefered by their Ambassadours their Service to the Emperour, some of them sending their Sons to *Belisarius* for Hostages, and desiring to receive from him Ensigns of Principality. It was an ancient Custome, that none might govern those *Moors* before he had received those Badges from the Emperour, yea, though he were an Enemy to the *Romans*; and taking them now from the *Vandals*, they did not esteem their Government firm and lucky. These Ensigns were a silver Rod gilt, a silver Cap, not covering the whole Head, but set upright like a Crown with silver Wire; a white Covering, fastened together with a golden Clasp over the Right Shoulder, in the manner of a *Thessalian* Mantle; a white Robe embroidered; and a gilt Shooe. *Belisarius* both sent them all these, and Money also, yet did they not join with him, but stood a-loof as Neuters, watching the event of the War. *Gelimer* wrote a lamentable Letter to his Brother *Tzazon*, wherein having given an account how *Africk* was become a Prey to the *Romans*, through the cowardize and negligence of the *Vandals*, he desired him to quit *Sardinia*, and come to him with his whole Fleet. *Tzazon* and his *Vandals* with grief and lamentations obeyed his Orders; and when they came up to the Army on the Plains of *Bule*, so sad a greeting was betwixt them, as cannot be expresst, and as would have moved the Enemy with compassion and a sense of the slippery condition of Mankind. The two Brothers embracing each other, could not be parted, saying nothing but by tears, expressing their inward grief. In like manner did the others embrace them that came from *Sardinia*, being all struck with such consternation and amazement at the present posture of their Affairs, that what at another time would have been very important, was not now so much as thought of. For *Gelimer* neither enquired any thing concerning *Godas*, nor *Tzazon* after what had happened in *Africk*, although the Place where they now were, hinted those and such like things sufficiently to them. There was not a word spoken of their Wives or Children, they well enough perceiving that such as they saw not in that Place, were either certainly dead, or in captivity; with which words *Procopius* concludes the First Book of his History of the *Vandal* Wars.

Gelimer makes the best of the worst of Fortunes.

Ensigns of principality amongst the *Moors*.

Procop. Hist. Vandal. lib. 2.

58. Nevertheless, when a little time had disburthened their grief, and made way for consideration, *Gelimer* led them against *Carthage*, where he cut off the Aqueduct of the City, a Piece of excellent Workmanship; and after a little stay, when no Enemy sallied out, he retired, quartering his Men in the adjoining Towns, and blocking up the City, as he supposed. His Men expecting that the *Carthaginians* would betray it into their Hands, and looking upon the Countrey no otherwise than their own, kept very good order; they hoped that such *Romans* as were *Arians* would join with them, and by large promises invited the Commanders of the *Hunnes* to their side, who were nothing affected to the *Romans*, complaining that they had been trepanned into *Constantinople* by *Peter* the General. They agreed to the Proposals of the *Vandals*, and promised when they came to fight, to turn their Power against the *Romans*. But *Belisarius* having smelt out the Plot, first nailed to a Cross one *Laurus* a *Carthaginian*, convicted of Treason, and then so won upon the *Massagetes*, or *Hunnes*, by courtship, and inviting them to his Table, that he got out of them the whole matter propounded by *Gelimer*; and whereas the apprehension of two things disgusted their minds, and aliened them from the service of the Emperour; the one a Jealousie, that though the *Vandals* were subdued, they should not be dismissed to their own Countrey, but be worn out in *Africk*; the other, that their Booty should be taken from them; he by Oath assured them, that neither of these things should be done; and in like manner bound them by Oath to assist him with all alacrity. Having then by a Speech exhorted his Army not to suffer the Conquest which was even almost atchieved, to fall out of their Hands, he sent out all the Horse, except five hundred, under Command of *John* the *Armenian*, to attacque the Enemy as he should see occasion. He himself, the day following, with these five hundred Horse and all the Foot followed. The *Massagetes* resolved to keep their word so with both Parties, as to expect the event, and join with the Conquerours. The *Roman* Army overtook the *Vandals* at *Tricamar*, seventeen miles from *Carthage*, and encamping at a reasonable distance from them, about midnight

midnight some of them were troubled at the sight of a great Prodigy. Fire seemed to fasten upon the points of their Spears, the heads of them appearing red and glowing hot. Those few that saw it were amazed, solicitous about the Event. But when the same happened afterward in *Italy*, they were incouraged, and took it for an undoubted sign of Victory and good success. Sect. 1.

59. The next day *Gelimer* placed the Wives and Children of his *Vandals*, with all their Wealth in the midst of the Camp, which was not fortified by any Work, and then calling them together, propounded that object to them as alone sufficient to excite their Valour, the Contest being as he said not for Empire, Dominion or Honour; but what was their All, their utmost hopes and dearest Pledges. He caused his Brother *Tzazon* to use the same exhortations to his men apart, and then moving toward the Enemy about Noon, when the *Romans* took their Dinner, faced them upon the Bank of a Brook, keeping his men in good order. The *Romans* on the opposite Bank put themselves also in order, and so they stood facing each other a good while, till *John* by *Belisarius* his order with a few select men passed the Brook, and charged the main Body of the *Vandals*, but was so warmly received by *Tzazon*, that he was glad to retreat, being pursued to the Brook by the *Vandals*, who yet durst not venture over; *John* renewed the charge the second time, and was repulsed, but at the third onset had better Fortune, though the Barbarians valiantly received them, fighting onely with their Swords according to *Gelimer's* Command. The Fight growing sharp many *Vandals* fell, and amongst them *Tzazon* himself, after which came on the whole *Roman* Cavalry, and passing the Brook charged the Enemy. Now was the Quarrel quickly determined, each one with ease routing his Opposite, which the *Hunnes* perceiving, according to their former resolution joyned with the *Romans* in the chase, though it lasted not long, the *Vandals* recovering their Camp, and the other not thinking themselves able to grapple with them in their Entrenchment. The *Vandals* lost eight hundred of their men, and the *Romans* fifty, who retired also to their Camp. But *Belisarius* when his Foot was come up, in the Evening marcht with his whole Army to the Camp of the *Vandals*, which *Gelimer* seeing, without speaking one word, or giving any directions, took Horse and fled toward *Numidia*, accompanied onely with a few of his Domesticks and Relations, who covered all with a confused silence. When the *Vandals* perceived he was gone, and the Evening coming upon them, the men were in a tumult, the Women shrieked, the Children cried, and every one forgetting his natural affection for others, made what shift he could for himself. The *Romans* following the Chase all Night, killed the men they could reach, and made Slaves of their Women and Children. In the Camp they found so great a mass of Wealth, as never the like had been seen in any other. For the *Vandals* had long ransackt the *Roman* Provinces, besides what riches they had hoarded up for the space of ninety five years, out of the Commodities of that plentifull Countrey. But thus were they utterly defeated, and deprived of all they had scraped together, three months after the Arrival of the *Romans* at *Carthage*, at the end of *December*, in the seventh year of *Justinian's* Reign, of our Lord the DXXXIII, the Emperour himself the third time being Consul.

Belisarius again overthrows the *Vandals*.

60. The *Roman* Souldiers being so suddenly and unexpectedly become Masters of so great Riches, were intoxicated with their good Fortune to such a height, that they straggled up and down, wholly intent upon Plunder, not regarding the presence or authority of their General, so that had the *Vandals* rallied and come upon them, not one had escaped, and lived to enjoy what they scrambled for with such greediness. *Belisarius* having, with very much adoe, reduced them to some reasonable Order, Commanded *John* the *Armenian* with all speed to pursue *Gelimer*, and such *Vandals* as were found in Churches, having given them assurance of their safety, he sent under Guards to *Carthage*. *John* after five days came up very near to *Gelimer*, but was deprived of his hopes of taking him, and his Life together, by one *Uliaris* a Lancier of *Belisarius*, a drolling and drunken Companion, who shooting at a Bird upon a Tree, missed his mark but shot him into the Neck, of which hurt he died soon after; leaving a great miss of him both to Prince and People, such was his valour, vertue and moderation. *Belisarius* coming presently after, continued the pursuit as far as *Hippo Regia*, a Maritime City in *Numidia*, ten days journey from *Carthage*, where he heard *Gelimer* was got up to *Pappua* a Mountain incompassed with Rocks, steep and almost impassable, inhabited by *Moors* his friends and Confederates. He betook himself to *Madenos*, an ancient City Situate on its utmost border thinking he was secure enough from *Belisarius*, who being not able to attempt the Mountain in that unseasonable time, and the settlement of affairs requiring

Pursues *Gelimer*.

Sect. 1. requiring his presence at *Carthage*, left the Seige to *Pharas*, a valiant, prudent and vertuous man, and so much more remarkable, because an *Herulian*, it being rare to find any in that Nation that was not infamous for breach of Faith and Drunkenness. The General in his return had the Treasures of *Gelimer* delivered into his hands by *Boniface*, who was ordered in case of a defeat at *Tricamar*, to transport them into *Spain* whither the King intended to follow, but attempting so to doe, was forced by contrary Winds and Tempests into the Haven of *Hippo*. Being come to *Carthage* he sent Forces to take in such places as had been under the *Vandals*, who possessed themselves of *Cæsarea* in *Mauritania*, thirty days Journey from *Carthage* in the way to *Gades*, and *Hircules* Pillars, of the Castle of *Septa* one of the Pillars, with the Islands *Ebusa*, *Majorica* and *Minorica*. He reinforced *Tripolis* against the *Moors* that pressed upon it, sent *Cyrill* back to *Sardinia*, who by shewing the Inhabitants the head of *Tzazon*, procured them to yeild, and taking in *Corsica*, (anciently called *Cyrnus*,) made both Islands tributaries to the Empire. He sent some also to receive the Castle of *Lilybæum*, as having been in the Dominions of the *Vandals*; but the *Goths* refused to yeild up any part of *Sicily*, and denied the Castle to have belonged to the *Vandals*. *Belisarius* angry hereat, sent the Commanders a threatning Letter, to which the Queen Regent of *Italy* returned so pithy an answer, in so sweet and mollifying words, (affirming that *Theodorich* when he Married his Sister to the *Vandal* King, had onely given that People the liberty of this Mart Town) that he yeilded to her resolution, of referring the matter to the Emperour himself, and standing to his determination.

Returns to *Carthage* where he receives *Gelimer's* Treasure.

61. *Pharas* in the mean time growing weary of a Winter Seige, would needs try if he could get up into *Pappua*; but the *Moors* so demeaned themselves, that he was forced to retire with the loss of an hundred and ten men. Then did he block up all access to the Mountain by diligent Guards and Watches, whereby he brought *Gelimer* and his Relations, who were all delicately bred, to unspeakable necessity and distress. For a vast difference there was betwixt the *Vandals* and those *Moors* that entertained them. The *Vandals* were the most effeminate Nation upon Earth, ever after their possessing of *Africk*, using their daily Baths and plentifull Tables, of the choicest things which Land and Sea afforded; most of them wearing Gold and Silk, and passing their time in Theatres, at Horse-Races and other delights, but especially Hunting. Masques, Plays, Musick, pleasant Groves and Gardens, and dalliance with Women were their ordinary Divertisements. On the contrary, these *Moors* were choaked up in close Huts both Summer and Winter, whence neither the extremity of Cold, nor violence of Heat could drive them. Lying on the Ground, they esteemed themselves excellently Lodged, if they got but a Sheeps skin under them. And as their Lodging, so their Clothing in Winter and Summer was the same; being no other than a thick coarse Mantle, and a shaggy Coat. Bread, Wine or any pleasant sort of feeding they used none, living on their Wheat, Barley and Rice, without any Boyling or other preparation, than Nature it self afforded, as other Animals. *Gelimer* and his followers, falling from their pleasant fare, to such harsh and irksome Diet, and now wanting necessaries too, could not hold out any longer, but esteemed Death most pleasant, and Slavery it self no base Condition.

Gelimer sorely distressed in the Mountain *Pappua*.

62. *Pharas*, not ignorant of their distress, thought it seasonable to write to *Gelimer*, wishing him to consider with himself, whether it were not better to yeild, and enjoy the dignity of a Patritian, with large Revenues by the favour of the Emperour, than thus to torment himself with so lingring misery? Nay whether it were not a Condition rather eligible to be a Slave among *Romans*, begging, than to Reign over the *Moors* of *Pappua*? At the sight of the Letter he bitterly lamented, and in his answer complained much that the Emperour should thus disturb him, by whom he was never injured in word nor deed, and he begged of *Pharas* that he would send him an Harp, a loaf of Bread, and a Sponge. This request *Pharas* knew not how to interpret, till the Bearer told him that the King longed to see a baked Loaf, having not beheld such a thing since he came to *Pappua*; that he needed a Sponge for one of his Eyes, which was swelled with Rheum, and that being skilfull on the Harp, he desired one to which he might sing a sad Ditty, composed by himself upon his present Calamity. *Pharas* touched with a sense of his misery, and the vicissitude of humane affairs, sent him the things desired, but blocked him up closer than ever. Three Winter months were now spent in the Siege, yet nothing could Conquer him, till he feared the *Romans* would by degrees get up to him, and the sight of two Boys fighting for a newly baked Cake so affected him, that he presently wrote to *Pharas*, and promised to yield, on condition that *Belisarius*

rius would give him assurance of so good entertainment by the Emperour, as in his Letter he had mentioned. *Belisarius* overjoyed at the News, as ambitious to present him alive to the Emperour, immediately dispatched away *Cyprian* the Captain of the Confederates towards *Pappua*, to give Oath to him for the safety of himself and his followers, and also that he should have an honourable Rank with the Emperour. *Gelimer* having yielded himself, was brought to *Carthage*, and there being presented before *Belisarius*, could not forbear Laughing. Some imagined he was distracted, through the excess of his misery. But his Friends affirmed him a man of quick apprehension, which, when he considered how from a King, so rich and powerfull, he was become no better than a Slave, poor and despicable, and that so suddenly, forced Laughter from him; the inconstancy of Fortune, and the slipperiness of humane Condition deserving no better. And indeed, scarcely did Fortune shew her power more than in this Captivity of *Gelimer*, who being the fourth Successour of *Genserick*, to a Kingdom flourishing with Wealth and Military men, was Ruined in six months time by five thousand Strangers, who had not so much as a place to Anchor in. For so many and no more were the Horse, who either by their Valour or Fortune did the whole business.

Sect. 1.

Yeilds.

63. *Belisarius* acquainted the Emperour, how *Gelimer* was a Prisoner at *Carthage*, and craved leave that he might bring him to *Constantinople*, keeping him in the mean time in honourable restraint and preparing his Fleet. But some of the Inferiour Officers envying him the glory of this enterprize (as is usual in all great felicities,) accused him to the Emperour of Usurpation, who either despised it, or thought it best to dissemble, giving him his choice, either to come to *Constantinople* with his Prisoners, or to stay and send them. He having discovered the Plot, was earnest for the Journey, that he might clear the Imputation, and be revenged of his Accusers; and when he had now taken Ship, the *Moors* of *Byzacium* and *Numidia* broke the Truce and wasted the Countrey. He could not now come back himself, but appointed *Solomon* Governour of *Africk*, leaving sufficient strength for the Repression and Chastisement of the *Moors*, to which afterward the Emperour sent another Army with *Theodorus* a *Cappadocian*, and *Ildeger*, who had Married the Daughter of *Antonina*, *Belisarius* his Wife. Being arrived at *Constantinople*, he was thought worthy of those ancient Honours which were given to Generals for the greatest atcheivements, and had been now discontinued for six hundred years, except when *Titus*, *Trajan*, or such Emperours led the Armies in Person, and Conquered some barbarous Nation. He triumphed, though not after the ancient manner, going a foot from his own House to the *Circus*, and thence from his Pavilion, to the Emperour's Throne, leading the Prisoners and Spoils through the City. Amongst the Spoils consisting of great Treasure and Royal furniture, were some Monuments of the *Jews*, which being brought to *Rome* by *Titus*, were amongst infinite Wealth taken thence by *Genserick* when he sackt the Palace, and were now, upon some words spoken by a *Jew*, how they could not continue but where *Solomon* first placed them, sent by *Justinian's* order to the Christian Churches in *Jerusalem*. *Gelimer* wearing a purple Robe amongst all his Kindred, and the tallest and beautifullest of the *Vandals*, when he saw the Emperour sitting on his Throne, the multitude of Spectatours on both sides, and himself in so great Calamity, made no lamentation at all, but still repeated that of the Preacher, *Vanity of Vanities, all is Vanity*. Being come to the Throne, they devested him of the purple Robe, and caused him to fall on his face and adore the Emperour. The same did the General, who interceding in his behalf, he had Towns of good value assigned him in *Galatia*, where he was permitted to dwell, not being admitted a *Patritian*, because he would not change his *Arian* Religion. *Hilderick's* Children had large means bestowed on them, as the descendants of *Valentinian*. Not long after, those Honours were added to *Belisarius*, which formerly had been proper to ancient Triumphs. Being made Consul, he was carried on the Shoulders of Captives, and drawn in a Chariot, from which he cast of the Spoils of the *Vandals* amongst the People, which scrambling for Plate, golden Girdles, and other curious things of the Royal Treasure was much pleased, not onely for getting such things into their hands, but for beholding the Solemnities of their Ancestours revived; of which they had heard much but seen nothing. And so did they rejoyce and cares the Conquerour at *Constantinople*.

Belisarius triumphs at *Constantinople*.

64. Leaving the Triumph for the Conquest, let us, as it's more material, see how the Countrey of *Africk* was setled, and under what Government. Before such time as it became a Prey to the barbarous Nations it was subject, as we have formerly seen, to the *Præfectus Prætorio* of *Italy*. But now *Justinian* having recovered it, and over joy'd at so transcendent a Providence, resolved it should have a Prefect of

The Government setled in *Africk* by *Justinian*.

Sect. 1. its own, and gave the charge to one *Archelaus*, to whom he directs a Constitution under that title, therein making provision for his port and dignity. His Seat he tells him he will have at *Carthage*, and under him seven Provinces subject to their several Governours, whereof *Tingi* or *Zeugia*, and (which formerly was *Proconsular*) *Carthage*, and *Byzacium* and *Tripolis* should be governed by *Consulares*, but the rest, *viz.* *Numidia*, *Mauritania* and *Sardinia* (for this Island he joyned to *Africk*) by their several Presidents. He allowed him for his Attendance, and inferiour Officers such as we have formerly described, serving in his Office and Service, three hundred and ninty six Persons. Then doth he expresly forbid all exactions upon the Subject, which as he saith he hates in all places, but especially abominates in *Africk*, so lately recovered from Captivity, that as yet it hath not had time to breathe. He appoints how much the Officers both Military and Civil, shall give for their Commissions, forbidding the Prefect's Servants to exceed the rate upon pain of Death, after which he settles the allowance to the Prefect himself, the *Consulares*, Presidents and all their Inferiour Ministers, ordaining that it should take effect from the first of *September* of the thirteenth Indiction. He concludes by giving strength and virtue to what the Prefect should ordain, according to this his Constitution, telling him that as for Military matters, respecting his Province he would provide by another Sanction.

Cod. Justin lib. 1. tit. 27. l. 1. pag. 50.

Civil.

Ibid. l. 2. p. 51.

65. This Sanction he directs to *Belisarius*, under the title of *Magister Militum* of the East, beginning it as the former, with a very pious and Christian Preface. He ordains first at what places the several *Duces* shall reside. He charges him that a continual Guard be kept at the Straits of *Gibraltar*, or the Castle called *Septa*, under a Tribune both prudent and faithfull, who upon occasion shall give notice to the *Dux*, and he to *Belisarius* of any motions; he would have also in the Straits mouth a certain number of *Dromones*, or swift Barkes perpetually kept. In *Sardinia* he Commands him to settle one of those Officers called *Duces*, with a sufficient power to secure the borders against Barbarians, and gives expres charge for recovery of the ancient *Roman* bounds, to which end he will have Souldiers that shall watch constantly upon the borders. He charges the Officers to Train and Exercise their men, not suffering them to straggle from their Ensigns, and forbids them the raising of any profit or advantage out of their Pay, upon pein of fining four times as much, besides casheering. All violence towards the Subject, he severely prohibits. Gives power to *Belisarius*, to inlarge or lessen the Forts and Towns, upon the Frontiers as he shall see occasion. And then sets down how much every Officer shall be allowed, to commence from the first of *September* of the thirteenth Indiction, as also what shall be paid at the Offices of the *Præfectus Prætorio*, and the *Magister Militum*, for recording the Emperour's Grants. He tells him he must appear at Court, as soon as he had set these things in order, which he charges him to do to all effects and purposes. This Law bears date on the thirteenth of *April*, when *Justinian* himself the fourth time, and *Paulinus* were Consuls, that is in the year of our Lord DXXXIIII, and whereas it speaks of *Africk* as already Conquered, (though some of the ancient Limits were not yet recovered,) they are much out in their Chronology, who refer the taking of *Gelimer*, and the finishing of the War with him to the year following.

Dromones navigii longioris & ad cursum expediti genus, vide Isid. 19. Etymolog. Cassiod. var. 1. 5. Dromoni contrarium Musculus curtum Navigii genus, vide Zonar. Tom. 3. in Maricio. A Dromone Dromonarii dicti, Cassiod. var. 2. 4. Vide Notas in l.

Gloria itaque tua quæ per hanc pragmaticam sanctionem nostram statuuntur avertitatis effectui mancipari observarique præcipiat.

66. But the account which *Procopius* gives us of *Belisarius* his motions doth not very well suit with the Letter of this Law. The Law Commands him, as soon as he had settled the Countrey, to come away to *Constantinople*, the Historian saith, he either gave him leave to come or stay, as he had occasion. The date of the Law is but on the Ides of *April*, at which time according to the story of *Procopius*, *Gelimer* could hardly be taken, if he was defeated at the end of *December*, and held out in *Pappua* three months longer, and then what time must be allowed, for sending Intelligence as far as *Constantinople*? But as to this it may be said, that Intelligence might be sent to the Emperour, after the defeat of *Tricamar*, and the flight of *Gelimer*, by which *Africk* was Conquered, although not so certainly and securely, as after the Captivity of that Prince. More difficulty there is in reconciling what these Laws, and the late mentioned Authour have concerning the Taxes, and Impositions upon the People of *Africk*. In his Sanction directed to the *Præfectus Prætorio*, *Justinian* expresses a great deal of tenderness and care lest his Subjects should be oppressed, who had lately groaned under the tyranny of the *Vandals*, strictly Commanding that no oppression be used towards them, by any of his Ministers, as it was his indeavour to take off the burthens from all the Provinces in general. But *Procopius*, as is pretended in his secret History, which he durst not publish in this Emperour's time, tells us that as he

Licèt enim per omnes Provincias nostras (Deo juvante) solitus sit illas habeant Collatores; maximè tamen tributariis Diœceses africanæ confidimus quæ post tantorumtemporum calamitatem meruerunt (Deo juvante) per nos finem libertatis assistere, Ergo jubemus omnes violentias & omnem avaritiam cessare, & justitiam atque veritatem circa omnes nostros tributarios reservare. Sic enim & Deus placabitur, &c.

Sect. 1. he harassed the Provinces Subject to the *Roman* Empire, so he endeavoured the recovery of *Italy* and *Africk*, for no other reason than that he might involve them also in the same misery and devastation.

67. That the Number of those, of whose destruction he was Authour, could no more be Summed up, than that of the Sand. As for *Africk*, though it was a Countrey so large, he so wasted it, that it was esteemed nigh miraculous, for one travelling there to meet with a man. Of the *Vandals* that bore Arms, there were eighty thousand men, besides an innumerable Company of Women, Children and Slaves. Of *Africans* living in Cities, in the Countrey and at Sea, so many as cannot be expressed, but of *Moors* a far greater Number. Now all these were destroyed with their Wives and Children: Besides a great part of *Roman* Souldiers, and those that came from *Constantinople*; so that in all, there perished above one million and five hundred thousand Souls in *Africk*. The cause of all this mischief was this. *Justinian* after the overthrow of the *Vandals*, took no care for securing these Countries, in the good will and affection of his Subjects. He suddenly recalled *Belisarius* upon a false accusation, and for such a Crime as that Man could not commit, it having never entred into his thoughts to usurp against him. Then that he might squeeze and spoil *Africk* at his pleasure; he set over the People cruel Taskmasters, and imposed on them unheard-of Burthens, besides appropriating the best Lands to his own Domain. He prohibited *Arians* the exercise of their Religion, paid not his Souldiers, and disquieted the Countrey several other ways, whence Seditions and innumerable mischiefs arose, this being his humour never to be content with the present posture of things, but always innovating and confounding by his Innovations. Thus the pretended *Procopius* in his secret History, whose account how it agrees with the late mentioned Laws the Reader sees. The probability of these and other accusations, we shall examine when we come to this Prince his Character, proceeding in the story of *Africk* for the present, wherein let the Reader take notice, how far the certain *Procopius* his Narration at large makes out, what briefly is delivered in the secret History. As for the Impositions upon *Africk*, we may take his Note out of his History of the *Vandal* Wars, that the ancient Tributes being not to be found upon the old *Roman* Tables there, which *Genserick* had destroyed; *Tryphon* and *Eustratius* were sent in Commission from the Emperour to make a Tax, men whom the *Africans* found harsh and Intolerable.

Lib. 2.

68. We said a little before that the *Moors* seeing *Belisarius* imbarked for *Constantinople*, broke the Truce and revolted, the reason and manner thus. When news was first brought into *Africk* of the Emperour's Fleet, they retorted to their Prophetesses, (for Women with them were the onely Southsayers) anxious about the issue, and esteeming their answers no less Infallible than Oracles. These Women foretold an Army from the Waters, and the ruine both of *Vandals* and *Moors*, when a *Roman* General should come without a Beard. Hereupon afraid, they renounced Friendship with the *Vandals*, and made a League with *Belisarius*, still intent upon the Success. The business of the *Vandals* being dispatcht, they sent to spie in the *Roman* Army, if there were any Commander that had no Beard, where finding all well stored in that part, they thought, as they would have it, that the Oracle concerned not them but some after Ages, and longed to break the Peace; yet afraid of *Belisarius*, they despaired of success so long as he continued with the Army. When they saw him Shipped with his Guard and Prisoners, and the *Roman* Souldiers dispersed in Garrisons upon the Borders, and altogether unprepared they fell upon the *Africans*, killing the men, enslaving the Women and Children, and pillaging their Houses and Fields. Killing the Garrison Souldiers in *Byzacium*, and foraging the Countrey, *Aigan* an *Hunne* one of *Belisarius* his Life-Guard, and *Rufinus* a *Thracian* his *Bandophorus* or Standard-bearer with ten Troops of Horse, made head against them, and cut off many in a narrow passage, but were way-laid themselves by four Barbarian Princes, with many thousands of men, and being overpowred by Numbers, were defeated and slain. *Solomon* who had the charge of the *Roman* Army, hearing this news, knew not well how to carry himself. He first tried to convince the *Moors* of imprudence by Letters; but this having such success as was likely it should, he disposed of matters at *Carthage*, and marching into *Byzacium* incamped in *Mamma*, where the *Morisso* Princes had intrenched themselves, and upon sight of his Army put their Battel into such order, as formerly *Cabaon* their Countreyman did, placing the Camels in a round, and their Women and Children in the middle. At the first Onset, the *Romans* were put into a confusion by the skittishness of their Horses, at the sight and cry of the Camels, which made them they

Upon *Belisarius* his departure the *Moors* revolt.

Sect. 1. could neither defend themselves, nor keep their ranks; the *Moors* increasing the tumult by darting their Javelins amongst them. *Solomon* seeing this, leapt from his Horse, commanded his men to doe the like, and keep their guard and good order, warding with their Shields against the Enemies Javelins. Then fell he himself upon the Round with five hundred men, giving command to kill the Camels. Some two hundred Camels being killed, the *Moors*, who stood between their Legs, ran away, and the Round was entred where the Women stood; at which sight, the Barbarians amazed fled up to the Mountain adjoining; and the *Romans* pursuing, killed about ten thousand of them in the chase. This done, and the Camp taken, the *Romans* marcht back to *Carthage* to celebrate their Victory.

Solomon defeats them.

69. But *Solomon* was scarcely arrived at *Carthage* when the *Moors*, enraged at this defeat, made an universal Invasion, leaving none behind them; and having overrun the Countrey of *Byzacium*, and done all the mischief they could, encamped themselves upon the Mountain *Burgaon*. *Solomon* being come thither with his whole Army, would fain have drawn them down upon the plain ground, but they meant nothing less, dreading the thought of fighting upon so equal terms with the *Romans*. Therefore did he order *Theodorus* his Scout-master, without any noise, to get up by night into the Mountain, where it was most difficult to pass, with a thousand Foot, and in the morning to shew himself, and charge the Enemy. He himself also by night removed to the skirt of the Hill, and by Sun-rise both of them set upon the *Moors*; who seeing themselves ingaged on both sides, despaired, and took them to their heels. Not daring to fly either to top or bottom, they ran headlong into a deep woody Valley, lying between two Rocks; and being a multitude in tumult and fear, threw down and killed one another, till the Valley being full of dead Bodies, the rest passed over upon them to the other Rock. The Survivers affirmed fifty thousand of their Countrymen to have perished. The *Romans* on the other side lost not a Man, received not one hurt, but enjoyed the Victory intire and untoucht. One of the four Princes, *Isdilasas* by name, yielded to quarter. So great was the number of captive Women and Children, that a *Moorish* Boy was sold at the rate of a Sheep. And now with sorrow they called to mind what their Women had foretold, that their Nation should perish by a Beardless Man.

Gives them another great Overthrow.

70. Most of the Barbarians that were left in the Province of *Byzacium* would not there continue, for that being few, they feared to be oppress by the *Africans*, but betook themselves to *Jabdas*, Prince of the *Moors*, inhabiting *Aurasium* in *Numidia*. *Jabdas* at this time invading *Numidia* with thirty thousand Men, made what work he pleased, being indeed the compleatest Man, and most valiant amongst the *Moors*. Several other Princes of his Nation envied him, and incensing *Solomon* against him, joined their Forces with his for attaching him upon the Mountain of *Aurasium*. An expedition they undertook together, and *Solomon* distributed Moneys amongst those his Auxiliaries to incourage them. But when they had travelled seven days together, and could not light on any Enemy, he suspected his Confederates, whom as *Moors*, he knew to regard no Oaths, nor Hostages (though their own Children) nor any League, but as fear and awe overruled them, and fairly retreated, as it was time, all provisions being spent, resolving at the beginning of the next Spring (for Winter was now come on) to return without any Auxiliary *Moors*, and better furnished. Wintring at *Carthage*, he provided Forces and a Fleet against the *Moors* of *Sardinia*, called by the Natives *Barbaricini*, who being at first a few, and confined thither by the *Vandals*, possessed the Mountains near *Caralis*, whence committing petty Stealths, at last they grew to a Body of three thousand Men, and then openly invading the Countrey, wasted all before them. In these cares and employments he spent this Winter at *Carthage*, as *Belisarius* did in *Syracuse*, being in his Expedition into *Italy* against *Theodatus* and the *Goths*. Toward the latter end of this year, the Sun gave a fearfull and prodigious Light, like that of the Moon, being without its clear and usual lustre, as if it had been eclipsed. The cause *Renatus Des Cartes*, a late learned Philosopher, ascribes to the increasing of his *Maculæ*, or Spots, which how they come to be generated at first, and increased to such a proportion, it is not proper for us here to declare; and the Reader, if he please, may consult that Author. But hence doth he solve many *Phænomena* in the Heavens. For this reason, he saith, many Stars appear now bigger or lesser than they are described by ancient Astronomers; and it is possible that a Star may be so covered by these *Maculæ*, as utterly to disappear, as for instance, the *Pleiades* were once reckoned seven, although at present six onely be seen by us. Hence also a Star may appear suddenly to us, and either continue in its splendour, or return by degrees to its former darkness and obscurity, as it happened in the New Star in *Cassiopeia*, which appearing very

Some of them fool him.

Princip. Philosoph. part. 3. p. 112. Edit. Amstelodami, 1650.

Sic referunt quidam Historici, &c.

very glorious at the end of the year MDLXXII. failed in its light by little and little, and at last vanished in the beginning of MDLXXIV. So, saith he, do some Stars now shine in Heaven, which in time past did not appear; the cause of which is in this place more largely to be explained. But here we leave him in a road not proper to us, and return to our Historian, who assures us, that during this Prodigy Mankind was afflicted with Famine, War, and all other Mischiefs which contribute to Mortality. This was the tenth year of *Justinian*, the DXXXVI. of the ordinary *Æra* of *Christ*, the third of *Theodatus*, King of *Italy*; being not distinguished by any Consulship, onely noted thus, *After the Consulship of Belisarius*, in ancient Monuments, and famous for the beginning of the *Gothick* War in *Italy*. Sect. 1.

The Souldiers in *Africk* mutiny.

71. In the beginning of the Spring, at the time of *Easter*, the Souldiers in *Africk* mutined upon this occasion. *Solomon* granted the Slaves and Moveables as booty to the Souldiers; but the Lands which were conquered, he annexed to the Exchequer, and the Emperour's Domain; by whom Souldiers, War, and all were to be maintained. Now the *Romans* having overthrown the *Vandals*, married their Wives and Daughters, who ceased not, with clamour and discontent, to tell them how unjust it was for them, who had formerly possessed the Lands by their *Vandal* Husbands, to be deprived of them now they had espoused the Persons and Interest of the Conquerours. Another thing was, *Justinian* the Emperour permitted to no Hereticks the free use of Sacraments, or Churches, wherewith the *Arians* in the Army, being in number about a thousand men, and most of them *Heruli*, were inraged; especially because at the Feast of *Easter* they were neither suffered to baptize their Children, nor exercise any other usual acts of Devotion, in a publick manner. And as it happened, another accident there was which seemed to blow the coals of these Discontents. *Justinian* had, out of the *Vandals* which *Belisarius* brought to *Constantinople*, made five Troops of Horse, which he resolved should lie in Garrisons in the East, and spend their days there in the Wars against the *Persians*. Being shipt away for this purpose, four hundred of them coming upon the Coast of *Lesbos*, forced the Mariners to put into *Peloponnesus*; whence sailing into *Africk*, they landed in a desart place, and went streight to the Mountain *Aurasium*, and the Parts of *Mauritania*. The Mutineers herewith encouraged, combined together; and the *Arians* pricking them forward, resolved to kill *Solomon* in the Church on *Easter-day*, many of his Domesticks, because of the Lands, being in the Conspiracy. At the time appointed they made signs to one another, and had their hands on their Swords, yet either struck with reverence of the place and fervice, dashed at his presence, or overruled by a special Providence, they could not doe the deed, though they met again the second time for that very purpose, and reviled one another for want of courage. But now it being unpossible but the thing must out, most of them withdrew out of *Carthage*, and falling upon the *Africans*, pillaged their Towns.

72. When *Solomon* exhorted those that remained in the City to continue faithfull to the Emperour, at first they seemed to listen to him, till hearing what success their Fellows had in the Countrey, the fifth day of the Mutiny they reviled both him, and the rest of their Officers. They chose *Theodorus* the *Cappadocian* their General in his room, a man that was thought not to love him; and yet after they had killed the other *Theodorus* the Scout-master, and rifled the Town, he entertained *Solomon*, and brought him to a Ship in the Harbour, provided for him, wherein with *Procopius* the Historian, and five of his Retinue, having taken what care he could to reduce the Mutineers, and preserve *Carthage*, he sailed to *Belisarius*, now lying at *Syracuse*, to whom he related the accident, and desired his assistence for suppressing the Sedition. In the mean time the Mutineers, having plundred *Carthage*, made their Rendevous in the Plains of *Bule*, and chose *Stotzas* one of the Guard for their General; a couragious and active Fellow, who gathering together some nine thousand men in all, led them to *Carthage*, to which he sent a summons, requiring them to yield without more adoe. *Theodorus* and the Citizens returned answer, that they kept the Town for the Emperour, sending one *Josephus* to him, formerly the Clerk of the Emperour's Guards, at present at *Carthage*, about some business from *Belisarius*; but him he put to death, and prepared for the Siege. The Defendants were thinking to yield, when *Belisarius*, attended onely by a hundred of his Life-guard, and *Solomon* with one single Ship arrived at *Carthage* about twilight, the Besiegers not doubting to have the Town the next day delivered up; upon which being intent, they passed all that night without taking any rest. But the next morning, as soon as it was day, and it was noised that *Belisarius* was come, they broke up the Leaguer, and ran away shamefully in great disorder. *Belisarius* reduced to obedience two thousand of them by good words; the rest he pursued

They chuse *Stotzas* for their General.

Sect. 1. fued as far as *Membrissa*, a Town forty three miles distant from *Carthage*, where they both drew up, and prepared for fight; the General by the River of *Bagradas*, and the Rebels on a steep and ragged ground. They trusted to their numbers. He despised them as a foolish and undisciplined rabble. Both the Commanders incouraged their men with words fitted to the present occasion.

Belisarius puts them to flight.

73. When they came to the Encounter, a strong wind blew in the faces of the Mutineers; which disadvantage considering, they wheeled about, thinking that the Enemy would doe so too, and that thereby they should gain the wind. But *Belisarius* seeing them open their Ranks, and fall into disorder, began the Fight, which they not expecting, ran confusedly together, and presently quite away into *Numidia*, where they rallied, having lost but a few men, and those of the *Vandals*; for *Belisarius* having but a small Army, thought it sufficient thus to send them going; and then giving the Camp to be pillaged by his Souldiers, wherein was found much wealth, and the *Vandal* Women, that had been the cause of the War, returned to *Carthage*, and thence, having taken order for *Africk*, and committed *Carthage* to *Ildiger* and *Theodorus*, into *Sicily*, where he heard that his Army also mutined. By this time, *Marcellus*, who governed *Numidia*, and other Officers, hearing that *Stotzas* was there, got their Forces together to surprize him, perceiving he was but with a few men at *Gazophylæ*. He considering his danger, boldly goes amongst their men, expostulates with them for fighting against him, who stood for defence of their Rights and Liberties; he puts them in mind of the shortness of their pay, and how they were defrauded of the price of their bloud and travels, bids them, if they should find good reason upon due consideration, kill him in that place; if otherwise, to take Arms and fight, not against, but for themselves. With this language he overcame, and brought them over to his Party; which their Officers perceiving, withdrew themselves into the Church near at hand. *Stotzas* having united the Forces, comes thither, promises them their lives; and when upon his faith they were come forth, perfidiously kills them. These matters coming to the knowledge of the Emperour, he sent *Germanus* his Kinsman, a man of Patritian dignity, with a few others, amongst whom was *Symmachus* and *Dominicus*, both Senatours; *Symmachus* with the title of *Magister Militum*, to manage the expence of the Army; and *Dominicus* to command the Legions in the room of *John*, who was lately deceased. Coming to *Carthage*, he found upon a Muster that two parts of the Souldiers were revolted, and a third onely remaining in that and other Cities; wherefore he saw there was no fighting, and employed his time in courting the Souldiers with fair words and promises, whereby he so much did his business, that he drew in many of the Mutineers themselves, whom treating with courtesie, and giving them their full pay for the time they had been in Rebellion; at length got together such an Army, as to match the Rebels in number, and then prepared for a battel.

The Emperour sends *Germanus* into *Africk*;

74. *Stotzas* also perceived it his interest to come to fight as soon as possible: For his men daily fell from him; and he hoped, that if he came near *Carthage*, he could entice them back to him again. Therefore did he march, and incamped near the Sea, about four miles from the City. But *Germanus* by a prudent discourse so setled the minds of his Souldiers, that every man of them became ambitious to swear the good affection he had to his General; and the Mutineers seeing that none came over to them, as *Stotzas* had warranted them, separated themselves in fear, and went into *Numidia*, where were their Wives and Booty. *Germanus* followed them, being very well prepared, and overtook them at a Town called *Scalæ veteres*, where coming to an ingagement, his men at the beginning had the worst, till drawing his Sword himself, and calling upon his Guard to doe the like, with much adoe he routed the Enemy on his side, and then galloping up to *Stotzas*, so incouraged and assisted his Troops, that they got the day. So great tumult and disorder there was in the Fight, that both sides using the same Language and Arms, and not differing in habit, or any other considerable thing, those that gave the chace killed their own Friends, till *Germanus* commanded his Souldiers to ask the word. He had his Horse killed under him; and being dismounted, and in danger, was hardly rescued by his Life-guard. *Stotzas* being fled, and the Enemy routed, he marched to their Camp, where finding much opposition, after a sharp fight, he sent a Party to another place, where the intrenchment was easily entred, and so those coming upon the backs of the Mutineers, he became Master of it. The Souldiers fell to plundring without any regard of the Enemy, or their General's orders, who fearing the Rebels might rally, stood in the Gate crying out, and complaining to no purpose The *Moors* who had, according to their custome, stood a-loof, and expected th issue

who overthrows the Mutineers.

issue, followed the Execution upon those that were worsted, and pillaged the Camp together with the Army. *Stotzas* at first trusting to them, rode up and desired them to restore the Fight, but perceiving how matters stood, after he had made head and attempted in vain to renew the charge, escaped with a few *Vandals*, and retired into *Mauritania*, where Marrying a Daughter of a Prince of the Countrey he remained. And so ended this Mutiny. Sect. 1.

75. After the suppressing of this Danger, another arose from one *Maximinus*, who endeavoured to renew the Mutiny, with a design to usurp and make himself Emperour. *Germanus* at first would not take any publick notice of it, for fear of driving him into some desperate Act, but sent for him, and made him one of his own Life-Guard, which employment he gladly undertook, not refusing the Oath of fidelity to the Emperour, always taken upon such occasions, because he thought he should have a fitter opportunity to facilitate his Design. But when the Souldiers began to assemble in a tumultuous manner, having an eye upon him, he caused him to be secured, which broke the neck of the Plot; for when they missed him, had none to lead them, and wanted the numbers they expected, they ran away, yet many were killed, and many taken. Such as had not time to joyn with them, put on other Faces, shewing as if they had known nothing of the Conspiracy, and *Germanus* was so prudent as to take no notice of them, nor make any farther Inquisition. But finding that *Maximinus* after the Oath of Allegience taken, had been more busie in his design than formerly; he caused him to be Crucified under the Walls of *Carthage*, and so utterly broke in peices this treasonable Project. After this the Emperour called home *Germanus*, with *Dominicus* and *Symmachus*, in the thirteenth year of his Reign, and restored to *Solomon* his former Employment, giving him another Army. He so ordered his affairs, that he quickly setled *Africk* in a very quiet and peaceable condition, for he used great moderation, kept the Army in exact Discipline, and without any noise, removed all such as he knew to be Seditious, by sending them upon some specious pretext or other, either to *Constantinople* or to *Belisarius*, supplying their rooms with others, and banishing the remains of the *Vandals*, with all their Women. Having thus setled the Countrey, he made war upon *Jabdas* and the *Moors* of *Aurasium*, beat them out of *Zerbule* and *Tumar* two Castles, the later whereof he repaired, and left therein a Garrison to restrain their Rebellions. He took also the Wealth and Women of *Jabdas*, who fled into *Mauritania*, and forced the *Moors* into *Zebe* a part of that Countrey, the Metropolis whereof was *Sitiphis* tributary to the Empire.

And breaks in pieces another dangerous Design.

Solomon sent back into *Africk*, Setles it.

76. Such was the prosperous Estate of *Africk*, under the prudent government of *Solomon*, which in the fourth year changed thus into misery and desolation. The next year after his Arrival, and the fourteenth of *Justinian*'s Reign, *Cyrus* and *Sergius* the Sons of *Bacchus Solomon*'s Brother, were sent to Govern, the one *Pentapolis* and the other *Tripolis*. To these came the *Leucathian Moors*, with an Army as far as *Leptis Magna*, under pretence of giving them presents and establishing a firm Peace. *Sergius* receiving seventy of them into the City, feasted them and gave them good words, but so it happened that jealousies arising from their deportment, they were all killed in the House, except one who escaping to the Camp incensed his Countreymen. They came to revenge the Fact, and were met by *Sergius* and *Pudentius*, with all the force they could make, who put them to the rout, and sacking their Camp got much Plunder. But the *Leucathians* would not so give it over, coming better prepared than formerly, and with them joyned *Antalas*, who till of late had been faithfull to the *Romans*, but now revolted out of displeasure against *Solomon*, for he had taken from him those provisions the Emperour had allowed him, and had put to Death his Brother, for raising a Commotion amongst the *Byzaceni*. He then undertook the Conduct of them against *Solomon* and *Carthage*. *Solomon* hearing this marched toward his Enemies, accompanied with *Sergius*, *Cyrus* and young *Solomon*, all of them his Brother's Sons, and met them at *Tebeste*, a Town six days Journey from *Carthage*. *Solomon* having in vain tried to perswade the chief of the *Leucathians* to lay down Arms, the next day defeated a party of them, and recovered great Booty they had taken, which when the Souldiers expected to have shared amongst them, he unadvisedly put them off till the conclusion of the War. Coming then to Fight, he was overpowred in numbers by the Enemy, so that his Army being routed, when he had to no purpose endured much hazard and trouble to renew the Fight, he was forced to flie. In full speed, his Horse stumbled, and down he fell. His Life-Guard set him up again, but being so disordered with the fall, that he was not able to hold his Bridle, he was overtaken and Slain with many of his Guards.

Solomon Slain.

77. He

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77. He being Dead, his Nephew *Sergius* by the Emperour's order, took the charge of the Province, unluckily as it proved. The Commanders were much diſcontented at it, being diſobliged by his young, rude and inſolent carriage; for, carrying himſelf high upon his Riches and Power, he was perpetually affronting one or other. The Souldiers ſlighted him as a Coward. The *Africans* hated him for his extraordinary avarice and luſt; but eſpecially *John*, the Son of *Siſinniolus* an able Souldier and of great repute, was inraged, being ſubjected both to a mean and moſt ungratefull Perſon. So that none of them would ſtir againſt the *Moors*. *Antalas* having this People at his Devotion, ſent for *Stotzas* out of *Mauritania*, and yet wrote to the Emperour, letting him know how he had been injured by *Solomon*, who having now paid the price of his injuſtice, he was ready to ſubmit to his Empire as formerly, provided he would remove *Sergius* from his Command, and ſend ſome worthy Governour in his room, as he was well aſſured he could not want many that were much more fit for the place than he. Notwithſtanding, the Emperour would not remove him, though he ſufficiently knew how much the man was hated, he reſpected the worth of *Solomon*, and pitied the manner of his Death ſo much. Therefore did great diſorders follow. *Antalas* with his *Moors* and *Stotzas* every where committing cruelties upon the *Africans*, and ſparing no Age nor Condition, inſomuch that the Countrey lay waſte, the Inhabitants that remained alive flying ſome to the Cities and fortified Towns, others to *Sicily* or other Iſlands, and the beſt to *Conſtantinople*. None oppoſed theſe outrageous actions of the *Moors*: many *Roman* Souldiers followed *Stotzas*; ſome Renegado's and others, who had been Priſoners ſtaying now with him out of choice. And *John*, whoſe name was famous amongſt the *Moors*, being out with *Sergius* lay ſtill and did nothing at all.

Sergius his Nephew ſucceeding him, Great diſorders thereupon.

78. By theſe things, the Emperour was moved to take ſome farther care about *Africk*. Yet would he not for all this, put *Sergius* quite out of Command, but ſending into the Province *Areobindus* a Senator, and a worthy Perſon, though no Souldier; he divided the General-ſhip, the Countrey and Souldiers betwixt them two, ordering *Sergius* to make War in *Numidia*, and *Areobindus* in *Byzacium*. *Areobindus* being arrived, when he heard how *Antalas* and *Stotzas* were incamped three days Journey from *Carthage*, ſent *John* the Son of *Siſinniolus* againſt them, with the flower of his Army, writing to *Sergius* to joyn with him, who diſdaining to be directed, and ſlighting the Buſineſs, *John* was forced with his ſmall power to encounter an infinite number of Enemies. Both *John* and *Stotzas* to their mutual ſatisfaction, for they were irreconcileable Enemies, died in the Battel, beſides *John* an *Armenian*, who with *Artabanes* his Brother, being of the race of the *Arſacides* had revolted to the *Romans*, and Commanded ſome of their Countreymen that came over with *Areobindus*. The Emperour was much troubled for the Death of *John*, and being convinced how inconvenient a thing it was to have two Generals, ordered *Sergius* to paſs with ſome Forces to the Wars of *Italy*. But though he redreſſed one evil, yet another inconvenience wrought ſo much, as ſtill to involve this Province in trouble and diſorder. For *Areobindus* was ſo little verſed in matters of War, that one *Gontharis*, who Commanded the Cohorts in *Numidia*, was incouraged to revolt and attempt the Sovereignty. To this purpoſe he procured the *Moors* to march againſt *Carthage*, and held ſecret Intelligence with *Antalas*, and *John* whom the Mutineers had made General in the room of *Stotzas*. *Areobindus* hearing of *Antalas* his motions, ſent for *Gontharis* and the reſt of the Officers to attend him at *Carthage*, and on the other ſide he practiſed with *Cutzinas* who led the *Numidian Moors* to turn in the Battel againſt *Antalas*, and the *Moors* of *Byzacium*. But never ſuſpecting *Gontharis*, he told him his deſign, and he thereupon revealed it to *Antalas*, who yet kept all things from *Cutzinas*, for they hated each other, though with theſe clandeſtine deſigns, they fought in company together, each againſt him with whom he entertained Correſpondence.

Areobindus joyned with him.

Sergius ordered into *Italy*.

79. But *Gontharis*, to bring about his Uſurpation, firſt reſolved to kill *Areobindus* ſecretly in the Battel, that he might not ſeem to intrude into the Empire, but rather that the Souldiers ſhould put it upon him, without his ſeeking, according to the uſual hypocriſie of Tyrants. This device ſucceeded not, becauſe he could not perſwade *Areobindus* to go out to Fight, therefore he concluded he was either to be frighted away to *Conſtantinople*, or openly Murthered. And when he had once diſcovered the Plot, he had fled indeed, if a ſudden Storm and power of his own fate had not ſtopt him; but now conſtrained to make the beſt of it he could, he was adviſed by *Artabanes*, not to be diſmaid at this preſumption of *Gontharis*, but inſtantly

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inſtantly to fall upon him before any farther miſchief. This good advice he had no power to follow, but would needs ſend firſt and feel the pulſe of *Gontharis*, who owning the Uſurpation, then at length he reſolved to go out and fight. By this time the Uſurper had indeavoured to poſſeſs the Souldiers with a belief of his Cowardiſe, and how he meant to defraud them of their pay; when *Areobindus* and *Artabanes* iſſuing out began the fight. The moſt part of the Souldiers being uncorrupted and iſſuing out from ſeveral Quarters, had eaſily made an end of the Tyrant and his Mutineers, but that *Areobindus* frighted to ſee men killed, being a fight he was not uſed to, like a Fool and Coward ran away, and took Sanctuary in a Monaſtery within the Walls of *Carthage*, after which *Artabanes* and the reſt retired, and *Gontharis* became maſter of the City, the Palace and the Haven. Then did he ſend *Reparatus*, the Biſhop of the place, to *Areobindus*, to come to the Palace upon aſſurance of ſafety, who upon condition that the Biſhop in *Gontharis* his name at the celebration of Baptiſm would by Oath eſtabliſh his Security, came forth, and in a Garment called by the *Romans Caſula*, befitting rather a Slave, than a Souldier, came to the Palace. Here taking the holy Bible from the Biſhop, he fell at the Feet of *Gontharis*, holding out the Book, a Petition, and his little Son at whoſe Baptiſm the Biſhop had ſworn his ſafety, and conjuring him by all that was Holy to tell him whether he ſhould have his Life. He promiſed him that the next day he would ſend him away ſafe for *Carthage*, with his Wife and Goods, and having with much adoe raiſed him from the Ground, entertained him at Supper with much Honour; but cauſing him to lie in a Chamber alone, and near at hand, ſent ſome of his Confidents, who after his much weeping and wailing, diſpatched him; which done, the next day he ſent his Head to *Antalas*.

Gontharis Uſurps.

And kills *Areobindus*.

80. *Antalas*, his diſſatisfaction with the Emperour being not great, was vexed at the Treaſon and perjury of the Tyrant, and concluding that he would neither keep faith with him nor any other, after much debate with himſelf, he reſolved to ſubmit to his Prince, and ſo marcht off, and drew to him *Marcentius* Commander of the Horſe in *Byzacium*. *John* with his Mutineers, about a thouſand men, revolted to *Gontharis*; and *Artabanes*, upon aſſurance of ſafety, came alſo to the Palace with his *Armenians*, profeſſing all Service and obedience to the Uſurper. But being of a generous ſpirit he plotted to kill him, animated and ſpurred on to this act, as a means of attaining immortal Glory, by *Gregorius* his Nephew, and *Artaſiris* one of his Guard; and to cover his deſign, he undertook an expedition againſt *Antalas* and his *Moors* as he was ordered by *Gontharis*. *Antalas* ſtood him not but ran away, and *Artabanes* turned about alſo and marched back, whom *Ulitheus* a great Creature of *Gontharis* would have killed at his return; but *Artabanes* excuſed the matter, leſt he ſhould have loſt the Army, *Marcentius* being in a capacity to have ſuccoured the Enemy from *Adrametum*, and affirming it was ſafeſt that the Tyrant ſhould oppoſe him with all his Forces. *Gontharis* took his advice, and reſolved to lead them himſelf, leaving a Garriſon in *Carthage*, under the Command of *Paſiphilas*, his chief Councellour who had been a Ringleader in the Mutiny of *Byzacium*, and his principal Aſſiſtant in the Uſurpation. Him he ordered to murther all the *Greeks*, having every day himſelf killed ſome upon fear and jealouſie, and having all things now in readineſs, he thought good to Feaſt his Friends the night before his departure. *Artabanes* being invited amongſt the reſt, reſolved upon it as a fit opportunity to execute his deſign againſt the Tyrant. Acquainting *Gregorius*, *Artaſiris* and the others of his Guard with his purpoſe, he ordered them to get in with their Swords, it being the cuſtome when the Commanders Feaſted, to have their Guards ſtand behind them. *Artaſiris* he would have doe the deed when he ſaw it moſt convenient, and inſtructed *Gregorius* to bring ſome of their ſtouteſt *Armenians* to the Palace with their Swords, (for they might not attend their Officers with other Arms) who ſhould, (upon jealouſie that their Captain was invited out of no good intention towards him,) deſire to ſtand with the Guards of *Gontharis*. *Artaſiris* cut Arrows in two, and thruſt the peices round his Arme up to the Elbow, tying them with ſtrings and covering them with the ſleeve of his Coat, that he might receive any blow made at him upon his Arme, and fence it off from his Body.

81. He deſired *Artabanes* that, if he ſaw the Tyrant was not mortally wounded, he would kill him, the ſaid *Artaſiris*, inſtantly, leſt by torture he ſhould diſcover him, and perilhing baſely himſelf ruine his Captain alſo; which ſaid, he went with *Gregorius* and one of the Guard and ſtood behind him, the reſt ſtaying with thoſe without, and expecting till they heard the cry within as they were directed. He had his hand upon his Scimiter, and would have done the deed at the beginning of

Sect. 1. the Feaſt; but that he was ſtopt by *Gregorius*, who in the *Armenian* Language told him that *Gontharis* was yet himſelf, and had not drunk ſufficiently. When he had drunk largely, and grew into a pleaſant humour, he gave ſome Diſhes of Meat to the Guard who then went out to eat it, leaving with him onely *Ulitheus* and two others, and *Artaſiris* went out with them, fearing he might not handſomely draw his Scimiter within; and being without he drew it, then covering it with his Clothes, he ſtept to *Gontharis* as to ſay ſomething to him in private. But being come near to him, one of the waiters diſcovered his Sword, and thruſting him away cryed out; with that *Gontharis* turning about to look at him, *Artaſiris* fetcht a blow and cut off part of his Skull, with his fingers he had laid croſs his right ſhoulder in turning. Notwithſtanding *Gontharis* indeavoured to riſe, which *Artabanes* perceiving ſtabbed him into the ſide as he ſate by him, and then did *Ulitheus* ſtrike at *Artaſiris*, whoſe device ſtood him in good ſtead; the peices of Arrows within his Sleeve keeping off the blow, ſo that he had no harm. He then killed *Ulitheus*, *Peter* one of *Solomon's* Guard who Supped there alſo, joyned with *Artabanes*, and they taking up the Swords of *Ulitheus* and *Gontharis*, ſlew the two others of the Guard that were left behind, and then the *Armenians* hearing the Noiſe, ruſhed in and killed the *Vandals*, and the favourites of the Tyrant, who were placed upon other Couches in the ſame Room at Supper.

Is Killed.

82. The Guards without perceiving what was done, joyned preſently with the *Armenians*, having moſt of them belonged to *Areobindus*, and cryed out *Juſtinian* the Emperour, which Noiſe received by one Company from another, reached to moſt parts of the City. *Paſiphilus* and other Mutineers were killed in their Lodgings. *John* with ſome *Vandals* fled to a Church, but were taken out upon promiſe of ſecurity and ſent to *Conſtantinople*; and thus was the City and *Africk* recovered, on the thirty fifth day of the Uſurpation, in the nineteenth year of *Juſtinian's* Reign, to the great renown of *Artabanes*. *Projecta* the Wife of *Areobindus*, and Neice of the Emperour, richly preſented him, and *Juſtinian* made him General of the Province; yet not long after, he was recalled at his deſire, and *John* the Brother of *Pappus* ſucceeded him, who immediately defeated *Antalas*, and the *Moors* of *Byzacium*, recovering all the Enſigns which were loſt at the Death of *Solomon*, but was again beaten by the *Leucathians*; and having loſt many men, fled to *Laribum*. Then did they overrun *Africk*, which they waſted to the Gates of *Carthage*, and he, ſtirred up by anger and indignation, rallied his Souldiers remaining, and drawing in *Cuzzinas* and other *Moors* to his aſſiſtence, gave them a great overthrow, from which ſuch as eſcaped, fled to the uttermoſt marches of *Africk*. Hereby it came to paſs, that the Provincials in *Africk* being few and very poor, enjoyed at length ſome quietneſs. And here *Procopius* concludeth his Hiſtory of the *Vandal* Wars in that Countrey, proceeding to the *Gothick*, which by this time had been carried on nine years in *Italy*. For thither *Beliſarius*, as we hinted, was ſent; upon what occaſion, and with what ſucceſs, now we come to ſhew from the firſt Original.

Africk recovered by the means of *Artabanes*.

Overrun again and recovered by *John*.

83. *Amalaſuntha* the Daughter of *Theodorich* the *Goth*, who had Conquered *Italy* out of the hands of *Odoacer*, and the *Heruli*, educated her Son *Athalarick* his Succeſſour, after the manner of the *Roman* Princes, cauſing him to be inſtructed in Grammar and other principles of Ingenuity. This the *Goths* diſliked, deſiring he might be bred after the Barbarian way, upon which they could found greater hopes of liberty to ſpoil the People. The Mother at one time ſtriking her Son for ſomething he did in his Chamber, he went out into another Room and wept, where ſome of them ſeeing him, made a great buſineſs of it, railing on her, as if ſhe deſired to be rid of the Boy, that with his Patrimony ſhe might Marry ſome other man, and Reign her ſelf over the *Goths* and *Italians*. The Principal of them meeting together, complained that their King was ill bred, that Learning was an Enemy to Valour, producing cowardly and baſe Spirits, and they objected the example of his Grand-Father, who did ſuch great things without as much as knowing his Letters. They beſought the Queen to diſmiſs his three Pedagogues, and to give him Companions of his own Age, who growing up with him might incline him to govern according to their own Laws, and this out of fear ſhe was conſtrained to admit, though ſorely againſt her mind. Theſe Companions having ſome advantage of him in years, when he grew up drew him to Wine and Women, and made him ſo ill natured, undutyfull and diſobedient to his Mother, that he deſerted her in a faction, which had the impudence to Command her to retire from Court. Yet carrying a mind undaunted, and above the Condition of her Sex, ſhe pickt out three of the chief, and confined them ſeverally to the farther parts of *Italy*, under pretence of ſecuring the borders againſt the Enemy. But holding

Procop. de bells Goth. lib. 1.

Athalarick the young King of the *Goths* debauched by ill Company.

holding for all this a Correſpondence with their Friends and Relations, they ſtirred up the People againſt her, and the Faction grew ſo ſtrong, that not able to bear up againſt it, ſhe ſent to *Juſtinian* to deſire that, foraſmuch as ſhe was minded to quit *Italy*, he would give leave that ſhe might repair to *Conſtantinople*. Sect. 1.

84. The Emperour glad of the News, kindly invited her to undertake the Journey. But ſhe intending it but as a Reſerve, and a remedy for neceſſity, having procured thoſe three perſons to be killed, remained ſtill at *Ravenna* and fortified her Government. However, things went ſtill very croſs with her. *Theodatus* the Son of *Amalafrida* the Siſter of *Theoderich*, a man in years, well skilled in Latin and the Doctrine of *Plato*, but utterly unpractiſed in Civil and Military matters, and exceſſively Covetous, being Lord of many Towns in *Tuſcany*, oppreſſed the Inhabitants round about him, which humour ſhe endeavouring to curb, he became much incenſed and bitter againſt her. For a great Sum of money, and the dignity of a Senatour, he plotted to betray *Tuſcany* into the hands of the Emperour, dealing with ſome Ambaſſadours that were ſent to the Biſhop of *Rome*, from *Conſtantinople* for this purpoſe. By this time alſo the King her Son, was faln into a Conſumption through his Intemperance, which diſtracted her exceedingly, taking no comfort in him whilſt he lived, and perceiving that if he died, ſhe ſhould be in extreme danger, becauſe ſhe had much incenſed the Principal of the *Goths*. Upon the whole matter ſhe reſolved to ſave her ſelf, by delivering *Italy* into the hands of *Juſtinian*, who, together with the Ambaſſadours that came to the Biſhop of *Rome*, ſent one *Alexander* a Senatour under the ſame Character, to ſpie out her actions, wondering that ſhe came not to *Conſtantinople* as ſhe once intended. *Alexander* expoſtulated with her about ſeveral matters of no very great concernment, to which ſhe openly returned a reſolute and ſmart Anſwer, but ſecretly promiſed to deliver up *Italy* to *Juſtinian*, who underſtanding what was offered both from her and *Theodatus*, was overjoyed, and diſpatched preſently into *Italy*, one *Peter* an *Illyrian* by Nation, by Profeſſion an Oratour, but a man of a great reach, much mildneſs, and of excellent ability to perſwade.

Theodatus. *Theodahatus*. *Theodahudus*. *Thiudatus & Theudatbus i.e. Theud-aht vel Theod-aht*, *Populo æſtimatus. Aht enim & Acht idem ſunt.*

Amalaſuntha his Mother purpoſeth to deliver up *Italy* to *Juſtinian*.

85. In the mean time *Theodatus* upon evident proof, not onely of oppreſſing his Neighbours, but intruſion into the Royal Domain, was compelled to make reſtitution, wherewith he was infinitely offended. About the ſame time alſo, *Athalarick* died of his Conſumption, after he had Reigned eight years, which put his Mother upon a new plunge. Without conſidering the Nature of *Theodatus*, and her late proceedings againſt him. To appeaſe his mind, ſhe offered him the Title of King, on condition that ſhe continued in her former Power. He remembring how ſhe had uſed him, ſwore what ſhe pleaſed, with an intent never to perform it, and being in poſſeſſion of the Kingdom, acted quite contrary both to her expectation, and his own Ingagements. For he made of his Council the Relations of thoſe ſhe had put to Death; ſome of her Friends he ſuddenly diſpatched, and in concluſion Impriſoned her in a ſtrong Caſtle, in an Iſland of the Lake *Vulſinus* in *Tuſcany*. Fearing the diſpleaſure of the Emperour, he ſent ſome Ambaſſadours to perſwade him that ſhe had no harm, and cauſed her to write to the ſame purpoſe. The Ambaſſadours in their way met with *Peter*, who perceiving the Scene was quite changed in *Italy*, thereof ſpeedily advertiſed his Maſter, and he thence reſolved to take occaſion to imbroil *Theodatus* and the *Goths*. Now he ſent inſtructions to *Peter* publickly to own the cauſe of *Amalaſuntha*, to whom he wrote Letters full of comfort, and of his reſolution to take her part. But before *Peter* could reach *Italy*, the Kinſmen of thoſe ſhe had put to Death, perſwaded *Theodatus* ſhe was to be removed out of the way, without which neither he nor they could be in any ſafety, and therefore he conſenting they went to the Iſland and murthered her, to the great greif of the reſt of the *Goths*, who deſervedly admired her for the excellency of her Virtues. *Peter* proteſted openly againſt the Fact, and declared perpetual War from the Emperour. *Theodatus* was ſo ſilly, as although he openly favoured the Murtherers, yet to deny the Fact, to have been committed with his knowledge and approbation. Her Death happened in the DXXXIIII year of our Lord, in the fourth Conſullhip of *Juſtinian*, who had *Paulinus* for Collegue, in which year *Marcellinus Comes* finiſhed his Chronicon.

She procures *Theodatus* to be King upon her Son's death.

Vide Ep. ſi placet apud Caſſiod. var. lib. 10. *princip.*

And he cauſes her to be Murthered.

Vide Baron ad b. Ann.

Thereupon *Juſtinian* reſolves to make War upon the *Goths*.

86. The Emperour being advertiſed of the Death of *Amalaſuntha*, reſolved upon that occaſion to make War with the *Goths*; the following year being the ninth of his Reign, having lately Conquered *Gelimer* and the *Vandals* in *Africk*, through the Conduct of *Beliſarius*. He Commanded *Mundus* the General of *Illyrium* to march into *Dalmatia*, which was ſubject to the *Goths*, and attempt *Salonæ*. *Beliſarius*

Sect. 1. *lisarius* he ordered to make himself ready, to Sail with a Fleet, aboard of which were four thousand Legionary Souldiers and Confederates, three thousand *Isauri-ans*, two hundred Auxiliary *Hunnes*, and three hundred *Moors*, besides his Life-Guard, making him General with absolute authority. His Instructions were to pretend a Voyage to *Carthage*, but to attempt *Sicily*, which if he found easie, he should subdue it, and not quit it upon any account; otherwise to Sail away for *Africk*, without discovery of his Intent. *Justinian* courted the Princes of the *Franks* by good words and presents to joyn with him, using arguments drawn from the Heresie of the *Goths*, and their equal enmity to them. *Mundus* without much adoe Conquered *Salonæ*. *Belisarius* easily reduced *Sicily*, onely *Panormus* stood out, the *Goths* presuming upon the strength of the place, and it was indeed by Land impregnable, but by Sea he attacqued it, and had it delivered up by compo-sition. This Succes of his, *Peter* the Ambassadour made use of to terrify *Theoda-tus*, whose Heart failing him, in a secret Conference he came to this accord, to quit all pretensions to the Island of *Sicily*, to send the Emperour yearly a Crown of Gold, weighing three hundred pound, and three thousand fighting men when he should desire them. That he should not put to Death, or confiscate the Goods of any Priest or Senatour, without the Emperour's consent, nor advance any to the Degree of a Senatour or Patritian, but petition him upon occasion to doe it, that in the Acclamations of the People, *Justinian's* name should be first mentioned, and when ever *Theodatus* had his Statue erected, the Emperour should have another placed on the right hand.

87. *Theodatus* though he had subscribed the Accord, yet fearing that the Empe-rour might not accept of the terms, was much distracted in his mind, out of ap-prehension of a War which he infinitely dreaded. He sent back for the Ambassa-dour, now on his Journey as far as *Albania*, who discovering the terrour he was in, so applied himself to his humour, that he was persuaded to resign the Kingdom to *Justinian*, having bound *Peter* by an Oath, not to discover this his Intent, till he perceived the Emperour would not accept of the former Capitulations, and with him he sent one *Rusticus* a Priest, and a man whom he much respected, and whom some will have the same with *Agapetus* the *Roman* Bishop. *Justinian* not admitting of the first Accord, they shewed him the second Agreement, whereby he was con-tent for a yearly allowance of twelve Centenaries of Gold, to surrender the Domi-nion over the *Goths* and *Italians*, having no skill, as he said in his Letter, in the tumults of War, and being by his love to Philosophy, estranged from the noise of Battels, and preferring his Studies before a Kingdom. The Emperour ravished with joy, flattered him in an answer to his Letters, approving and extolling his high Wisdom, and adding to what he demanded, the chief Honours of which a *Roman* Subject was capable, sent *Peter* and one *Alexander* joyned in Commission with him, with Instructions to assign him Lands out of the Emperour's Domain, by the *Romans* called *Patrimonium*; and having perfected the Agreement by Oaths and Instruments of Conveyance, to call in *Belisarius* from *Sicily*, to take Possession of the Countrey, to whom he sent Orders accordingly to go over.

88. During this Negotiation, an Army of *Goths* entred *Dalmatia*, and near *Sa-lonæ* killed *Mauritius* the Son of *Mundus*, who went out with a few onely to view their Body, wherewith *Mundus* being much greived, in great passion led his men without any good order against the Enemy, whom he clearly defeated, but giving the Chase negligently, and without good consideration, (so much he was inraged for the Death of his Son;) he was Slain by one whom he pursued, according to a verse of *Sibylla* which the *Romans* now called to mind, that *When Africk should be recovered, Mundus and his Son should perish*, which they out of the ambiguous sig-nification of the word, *Mundus*, interpreted of the World, and the whole fabrick of Nature. The *Romans* now having none to head them, retired home, and the *Goths* having lost their chief Officers, kept close in their Garrisons, for they could not trust to the Fortifications of *Salonæ*, nor to the *Romans* that Inhabited it. *Theoda-tus* now in the mean time, for all his Transactions with the Emperour, slighted his Ambassadours, being of so fickle and weak a disposition, as either to be depressed with greater fears, or elevated with higher Confidence than the occasion required. Exalted upon this disaster of *Mundus*, he derided *Peter*, who expostulating with him for his breach of Faith, he publickly told him, that as Ambassadours are by all men much respected, yet they retain that privilege by moderation onely, it being not un-usual for such an one to be put to Death, if he carry himself insolently to the Person of a Prince, or commit Adultery. He did not mean that *Peter* had lain with any man's Wife, but onely expressed the limits of his Privilege; however he and his Collegue net-

Mundus and his Son Slain in *Dalmatia*.

Africk cease to be *Mundus* & his mate perish.

led hereat, admonished him not upon such frivolous pretences, to violate the Laws of Nations; told him that an Ambassadour, who could not have water to his hands without the knowledge of those that guarded him, could not be guilty of such a Crime. As for words, if he have in commission to speak them, he is not to be blamed, but his Master. That it is his part to doe that for which he was sent: that they therefore would utter whatsoever the Emperour had commanded them, were he angry or pleased; and again putting him in mind that it was high time to perform what he had sworn to, they told him they had, besides the Letters directed to him, others which they must deliver to the Principal *Goths* themselves. By these the Emperour promised that their union with him should tend to their benefit, and not at all to their disadvan-tage; and desired them to give credit and assistence to these his two Ambassadours, whom he had sent into *Italy* about this business. Sect. 1.

Theodatus puts a guard upon *Justinian's* Ambas-sadours.

89. He perused the Letters, but refused utterly to perform the agreement, and put a strict guard upon the Ambassadours. *Justinian* being thereof informed, sent *Constantianus*, Master of his Horse, to raise Forces in *Illyrium*, and attempt *Salonæ*. *Belisarius* he ordered without delay to pass into *Italy*, and make war upon the *Goths*. In the mean time *Gripus*, who commanded the *Goths*, had entred *Salonæ*; but hea-ring a report that *Constantianus* had a far greater Army, both by Land and Sea, than indeed he had, he removed into the Champion Countrey; and then *Constantianus* seizing upon the Town, and his Fleet lying before it at Anchor, seven days after he arose, and transported his men to *Ravenna*. Now did *Constantianus* take in *Dal-matia* and *Liburnia*, the *Goths* submitting themselves, and so ended the Winter, and the first year of the War. *Belisarius* leaving Garrisons in *Syracuse* and *Panormus*, transported his Army from *Messina* to *Rhegium*, over that Strait where the Poets feigned *Scylla* and *Charybdis* to have been seated. Passing up the Countrey, where many daily came in to him, he sate down in *Campania* before *Naples*, commanding the Fleet, which kept all this while close to the Coast, to lie within a Bow-shot in the Harbour. The Castle in the Suburbs he took by composition; and then gi-ving leave to the Citizens to send some to treat with him, or hear what he had to offer, they sent one *Stephanus*; to whom he offered many arguments drawn from self-preservation and liberty, pawning his Faith for as good conditions as the *Sici-lians* had obtained. *Stephanus* making report hereof to the Commonalty, added his own opinion of the inconvenience of resisting the Emperour; but *Pastor* and *Asclepiodotus*, two Oratours, much devoted to the service of the *Goths*, on purpose to cross the Treaty, persuaded them to make such demands of *Belisarius* as they con-cluded he would never grant; and when contrary to their expectation, he had clo-sed with their Propositions, and the People commanded the Gates to be set open, they again perfused them it was their interest to stand out; forasmuch as it was uncertain which Side would get the better: And though *Belisarius* should have that good fortune, he could not in wisdom so much blame them for being true to their trust, as hate and despise them for, either as Traitours or Cowards, forsaking their old Friends and Masters at the first onset.

Gripus, the Com-mander of the *Goths*, quits *Dal-matia*.

Belisarius pas-seth from *Sicily* into *Italy*.

90. Hereupon they defied *Belisarius*, who making several assaults, was as often repulsed with loss of many of his best men; the Walls, by reason of the Sea, and the steepness of the ground, being inaccessible. He cut the great Aqueduct which served the City; but this inconvenience was easily supplied by the Wells within, which furnished them with water sufficiently; so that he was much perplexed, considering the loss of his time, and that he must be forced to set upon *Rome* and *Theodatus* in the Winter. Resolving to rise, he had given out orders to the Army to dislodge, when a certain *Isaurian*, curious to view the structure of the Aqueduct, entring into it perceived, that if a passage, which was cut for the water through a Rock, was but a little inlarged, Forces might easily get through it, and surprize the City. *Be-lisarius* herewith acquainted, joyfully entertained the overture, and procured some *Isaurians* to widen the Passage, which they did not with Hatchets and Axes, but by fi-ling off the Rock, lest they should be discovered by the noise. When all was ready, *Belisa-rius* sent again for *Stephanus*, and used all the arguments he could to persuade them to yield, telling them his Engines were ready, wherewith he should not fail to take the Town; but the People being still deaf to all advice of this nature, he provided him scaling Ladders, and then caused *Magnus*, a Commander of the Horse, and *En-nes*, Captain of the *Isaurians*, in the dead time of the night, with about six hundred men to enter the Vault, taking with them Lights, and two Trumpets to affright the City, and give notice to the General what they did. When they were within the City, they were at a loss, not knowing where to get up, till the foremost at last found the Roof uncovered at a place where stood a Cottage, in which a poor Wo-man

Sect. I.

man dwelt alone, and an Olive-tree grew at the top of the Arch. The Vault being high arched with Brick, and no steps at the hole, they found it impossible to climb with their Arms about them, till one laying his down, made a shift to clamber up, and threatned to kill the Woman if once she stirred. Then tying a Rope to the Tree, he cast the other end down into the Aqueduct, by which all the Souldiers mounted, one by one.

91. All being mounted, and the night now far spent, they made up to the Wall, and killed the Sentinels on the North-side, where the General stood expecting the event; who upon the signal of the Trumpets given, commanded the Souldiers to set to the Scaling Ladders. The Ladders were two short; but they tied two together, and so mounting the Battlements, easily took the City, and opened the Gates for the rest of the Army to enter. Great slaughter was made of all sorts and conditions, especially by the *Massagetes*, who killed those also that had taken sanctuary in Churches, till *Belisarius* rode about and restrained the Angry Souldiers, bidding them take the Wealth, but spare the Owners; and let the Conquered find by experience how good Friends they had lost by the false measures of their own Councils. He caused all the other Prisoners to be released as well as the Women and Children; and reconciling the Souldiers to them, both made them Slaves, and restored them to liberty in one day; after which they recovered also the choicest of their Goods, having hid their Gold and things of value under-ground, which now they found upon restitution of their Houses. The *Gothick* Garrison, consisting of eight hundred men, he took into the Emperour's pay; and so ended the Siege of *Naples*, after twenty days continuance, as *Procopius* writes, who speaks much of the humanity of *Belisarius*; although some others, but those of no great authority, say he was grievously reprehended for his cruelty in this City by *Silverius*, the Bishop of *Rome*, and compelled to doe penance, having put all the Citizens to the Sword, and neither spared Churches, Priests, nor the Religious Virgins. However, the *Goths* throughout *Italy* were exceedingly alarmed at his success, and more amazed at the stupidity of their Prince, who made no preparations for a Battel, suspecting that he betrayed the Countrey to *Belisarius* upon security of a quiet and idle life. Assembling at *Regeta*, a place thirty five miles distant from *Rome*, they chose one *Vitigis* for their King, a man of no eminent House, but become remarkable for his valour in the War, which *Theodorich* made against the *Gepidæ*. *Theodatus* having the news, fled to *Ravenna*, whither the new King sent after him one *Optaris*, a *Goth*, (whom *Theodatus* had disobliged by hindring him from the marriage of an handsome and rich Maid he loved, by persuading her to marry another man) with orders to bring him either alive or dead. To gratify his own malice, as well as the jealousie of *Vitigis*, he so hotly pursued him, that he overtook him on the way; and being laid along on his back, killed him like a Beast ordained for sacrifice, as the Historian expresseth it, after he had reigned three years. Such was the end of this covetous, ingratefull, fickle and imprudent Prince, who in old Coins is called *Theodahathus*, with a threefold aspiration according to the pronunciation of the *Goths*.

Takes *Naples*.

Vitigis chosen King by the *Goths*.

And *Theodatus* murthered.

Vide Bar. Annal. ad Ann. 534. & 536. *Tom.* 7.

92. *Vitigis* to improve the advantage got by the death of *Theodatus*, imprisoned his Son *Theudegiselus*, marcht for *Rome*, and thence, having not things yet in readiness, to *Ravenna*, whence he thought he might best begin the War. Before his departure from *Rome*, he laboured much with *Silverius* the Bishop, the Senate and People to be true to the *Gothick* Nation, putting them in mind of *Theodorich's* Reign, binding them with the strongest Oaths imaginable, and taking most of the Senatours as Hostages along with him. Having left a Garrison of four thousand men in *Rome*, and being come to *Ravenna*, he there by force married *Matasuntha*, the Daughter of *Amalasuntha* (a Virgin more beautifull than her name expresseth her) to strengthen his Interest by so near alliance with the Bloud of *Theodorich*; then from all Parts did he assemble the *Goths*, and put them into a posture; those in *Gall* onely excepted, for fear of the *Franks*, who he thought would certainly overrun both *Italy* and *Gall*, if he with his Army should march for *Rome*. Therefore considering how he should be utterly unable to grapple with the *Romans* and them at the same time he called his Officers together, and persuaded them to draw the *Franks* to their side, by giving up to them that part of *Gall* which *Theodorich* and his Successours had hitherto possessed, with a certain sum of money. The Princes of the *Franks*, *Childebert*, *Theudebert* and *Clotarius* divided the Countrey betwixt them, and took the money, entring into confederacy with the *Goths*, and covenanting to send them aid; onely having promised the Emperour to doe the same with him, they could not enter into an open war with him, therefore they would send them

Vitigis draws the *Franks* to his Party.

Wittichin vulgo Vitigis, sapiens & fortis. Greg. Theud-gisil, Populorum comes.

Mate-sihuntæ, Medicaris pulchritudo.

them Succours, not *Franks*, but of the Nations subject to them. *Belisarius* in the mean time put Garrisons into *Naples* and *Cumæ*, the onely strong Places in *Campania*, and set all things in order for his march to *Rome*; which the Citizens understanding, and fearing the Torture of the *Neapolitans*, resolved to receive the Emperour's Army, perswaded to it by *Silverius* the Bishop especially, notwithstanding the Oaths formerly made to *Vitigis*. By one *Fidelius*, who had formerly been *Quæstor* to *Athalarick*, they invited him to come and take possession of their City; in compliance with which offer, he led on by the *Via Latina*, leaving the *Via Appia* on his left hand. This *Via Appia*, or *Appian* High-way, so called from *Appius* the Consul, who had caused it to be made nine hundred years before, reached five days journey from *Rome*, to *Capua*. A thing worthy of special remark, being broad enough for two Carriages to pass a-breast, paved with Stones all of the Millstone Quarry, and exceeding hard, which he had procured from foreign Countries. They were smooth wrought, equal, and so close fastned, yet without any Brass, or other ligament, that one would have thought them all of the same piece, or grown together. After so long a time wearing by Beasts and Carriages, there was not the least chink or hole made in the Pavement, nor any one Stone broken, or worn out; nay that had as much as lost its shape and splendour in the days of *Procopius*.

Sect. I.

The *Via Appia*.

Belisarius enters *Rome*.

93. In the eleventh year of *Justinian's* Reign, on the ninth or tenth day of *December*, *A. D.* DXXXVII. full sixty years after it had been taken by the *Heruli*, and the-thirty fourth after its captivity by the *Goths*, was *Rome* retaken by *Belisarius*, who entring it at *Porta Asinaria*, at the same time the *Gothick* Garrison issued out at the *Porta Flaminia*, being not able to make any considerable opposition. The Keys, together with *Leuderis* the Governour, who staid behind, he sent to the Emperour, and then applied himself to the repairing of the Wall, and other Fortifications, wherein he was very much commended, both for his skill and industry. But the Citizens murmured much, and wondred that he should look upon *Rome* as a place fitted for a Siege, being neither situate upon the Sea, nor having Walls (which were huge in compass) at all convenient for making defence, nor seated upon any Rock or Mountain naturally fortified, but in an open Champion, liable to all assaults. Yet still did he prepare for a Siege, storing up Corn in Granaries, which he caused to be transported out of *Sicily*, and compelling the *Romans*, though sore against their wills, to bring in all the Grain which their Farms afforded, with other things necessary for humane life. The Inhabitants of *Calabria* and *Apulia* had before this time, both in the Mediterranean and Maritime Coasts, submitted themselves to the General, which example *Pitzas* a *Goth*, now following, surrendred half *Samnium*, lying upon the Sea, with the *Goths* inhabiting as far as the River which divides the Countrey, those on the other side refusing to be guided by *Pitzas*, or to give up themselves to the Emperour. *Belisarius* having taken in those Places with all the territory of *Rome* to the *Tiber*, and having put it into a very good posture, ordered *Constantianus* to take in the Cities of *Tuscany*. He had surrendred to him *Spoletum* and *Perusia*, with other Towns; at which time one *Bessas*, a *Goth*, but of the Emperour's Party, and an excellent Souldier, took in *Narnia*. An Army sent to *Vitigis* he destroyed almost every man; after which this *Gothick* King would not stay any longer at *Ravenna*; but sending Forces to recover *Dalmatia*, prepared for a march against *Belisarius* with no fewer than a hundred and fifty thousand men. For hearing how small his Army was, it repented him that he had left *Rome*; and therefore now in great anger and disdain, he resolved to return thither, fearing nothing but that *Belisarius* would run away.

Procopius de bello Gothico, lib. 1. *Evagrius, lib.* 4. *c.* 18.

94. *Belisarius* indeed, hearing that the whole power of the *Goths* was coming upon him, could not but be much concerned, having so unequal a number to make resistence; and he durst not abandon the Places of *Tuscany*, by calling back his Forces, lest by possessing them the *Goths* should block up *Rome*. He sent orders to *Bessas* and *Constantianus* to leave competent Garrisons in them, and then come to him, which *Constantianus* speedily did; but *Bessas* staying longer to settle *Narnia*, (a City distant about forty four miles from *Rome*, situate upon an high Hill, near the River *Narus*, over which it had a Bridge, with the highest Arches *Procopius* ever saw, and from which it received its name, being called by *Livy* and *Pliny Nequinum*; concerning which *Tully* wrote that dry weather made it dirty, and rainy weather dusty) fell upon the Forerunners of the *Goths*, of which he routed and killed a great number; then being prest upon by their multitudes, he retired into *Narnia*; and leaving therein a Garrison, came and brought news to *Rome* that the Enemy would speedily be with them. *Vitigis* would not spend time upon the

Towns

Sect. 1. Towns in *Tuscany*, because they were well provided, and out of a vehement desire to take *Belisarius* before he should run away. Within a mile and three quarters of *Rome*, *Belisarius* had upon the Bridge of *Tiber* built a Fort, and therein placed a Garrison to give the Enemy some stop, till the *Romans* might bring in sufficient Provisions, and till such time as he could receive from the Emperour those additional Forces he expected; for he conceived that the *Goths* repulsed here, could not pass by any other Bridge in twenty days, and to get Boats together would require a longer time. He thought fit also to incamp some of his men near the *Tiber* to hinder the Enemies passage, and make some trial of their Courage. But those that watched upon the Bridge affrighted with the multitude of the *Goths*, fled by night into *Campania*, and the day following the Enemy brake down the Gates, and passed over without opposition, till *Belisarius* met with them unawares, who knowing nothing of what had happened, marched with a thousand Horse toward the Bridge to view the Ground where he might best incamp his Souldiers. At this time, however formerly cautious, he ventured himself farther than the nature of his place, and the present posture of Affairs required, fighting in great danger at the head of his men. By some Fugitives he was made known to the Enemy, who, neglecting all others, shot at him alone, and laid at him with their Swords and Lances. He gallantly demeaned himself, killing all within his reach; but had undoubtedly perished, had not his Lanciers and Targetiers shewed that day unparallell'd valour, holding their Shields before him, receiving all the Arrows, and thrusting off the Multitude by main strength. He lost at least a thousand on his part; and amongst them, many of the choicest of his Retinue, yet he himself was neither wounded nor shot, though the Controversie of the day was onely about his own Person.

A great Action betwixt *Belisarius* and the *Goths* near *Rome*.

95. In conclusion, the *Goths* were routed, and driven to their Camp, which when they had entred, they made head against the Pursuers; and their Foot being fresh, easily repulsed them. The *Romans* finding no access here, and perceiving another Party of Horse to make toward them, retired to an Hill, whence they were forced down, and pursued by those they had lately chased to the very Gates of *Rome*. Here they were in greater distress than ever; for those within, fearing that the *Goths* would enter pell mell with them, would not open the Gates, though the General himself called and cried to them, whose Face they could not discern in the dusk of the evening, being also besmeared with bloud and dust, and his voice was as little distinguished, because they had taken it for granted that he was dead from the report of such as first of all ran away. They were driven up into a narrow room, and violently charged, which put *Belisarius* upon a sudden and bold resolution, to incourage his men, and to give the onset upon the Pursuers, who were much disordered; and his design so far took, that the *Goths* imagining this could not happen, except those within the City sallied out also upon them, in a fear ran all away, *Belisarius* not suffering his Souldiers to give the chase, but procuring as speedy entrance into *Rome* as possible. A day or two following was the City half incompassed by the Enemy, who lying on both sides of *Pons Milvius*, and thereby having free access to the River, made war in what part he pleased. The Aqueducts, fourteen in number, being most stately Brick-works, so deep and broad, that a man might easily enter them on horseback, they broke and rent in pieces, to cut off the water from the Town. On the other side, *Belisarius* omitted nothing becoming a prudent and wary Governour for defence of the Place. To supply the defect of water now wanting to the Mills, he caused strong Cables to be drawn cross the River, and fastned on both sides near the Bridge, being stretched out so as to be very stiff. To these Cables he tied Boats at two foot distance where the stream ran strongest through the Arches, and placing in each Boat a Mill-stone, hung the Engine, which was to turn the Mill, betwixt the Boats. Beneath these, in the same manner, he caused other Boats to be tied at a proportionable distance, fitting them also with the like Engins, whereby the Mill-stones were set on work, and the City was abundantly supplied. The *Goths* informed of this Device, cast Trees and dead Bodies into the River, that being carried down the stream, they might break, or at least disorder the Engins; but for this *Belisarius* invented a sufficient remedy, by drawing Iron Chains before the Bridge, which not onely should intercept what ever could annoy the Mills, but to prevent the entrance of the Enemy that way into the City. To provide also against any surprize by such clandestine entrance, he fortified the Aqueducts for a good space, where they opened themselves into the City. As for the Common-sewers, he needed not secure them, because they had all their Mouths into the River.

They besiege him in *Rome*.

96. Not-

96. Notwithstanding, the Inhabitants of *Rome* not used to want and hardship, bore the Siege and restraint of their liberty with great impatience, assembling together in a tumultuous manner, and railing at *Belisarius*. This being understood by *Vitigis* in the Camp, to exasperate them the more, and drive them into a perfect mutiny, he sent into the Town certain Messengers, who in presence of the Senate and Commanders of the Army should upbraid the General with temerity and presumption; and vaunting much of the power and bounty of their King, offer to him and his Army a safe retreat, and free passage both for themselves and their Goods. But the awe and reputation of *Belisarius* easily overweighing all his Arguments; and perceiving the man was not to be frighted, he resolved to assault the City. For this purpose he caused to be made Towers of wood, equal in height with the Walls, and set upon Wheels to be drawn to and fro upon occasion. He provided himself of many Scaling Ladders, and of four battering Rams, of which Engine, because we have not formerly spoken, we shall here present the Reader with such a description of it, as we have it from *Procopius*. Into four wooden Posts of equal size, and opposite to each other were mortesed eight cross Beams, four above, and as many below, resembling a Room of quadrangular figure, which instead of a Roof and Walls, was covered with Hides, both that it might be easier of carriage, and better defend those that were within it from any violence. Within the Engine was hung another cross Beam with loose Chains, the upper end whereof was sharpened, and armed with Iron in shape of an Arrows head, and sometime foursquare, resembling an Anvil. This Engine was mounted upon four Wheels, fastned to the four upright Beams, requiring fifty men at least to move it, who having set it to the Walls, drew back the loose Beam with Pullies, and then let it go again with such violence, that by its reiterated strokes it easily broke down and demolished whatever stood within its reach; having the name of a Ram from the end of the said Beam which resembled the Horns of that Creature.

A battering Ram described.

97. *Belisarius* studying the best ways and methods how to make defence, placed upon the Towers another sort of Engins called *Balistæ*, to keep off the Besiegers. These were made in form of a Bow, having on the nether part a moveable Hook, lying upon a streight piece of Iron. Having bent the Armes or Horns of the Bow with a Cord from the Hook or Nut, they let fly the Arrow, which was but half as long as those of the ordinary sort, but four times as thick, having no Feathers to facilitate its flight, but certain thin pieces of Wood, which being fixed to its sides, together with an head of Iron suitable in bigness, gave it the perfect shape of an Arrow. The Bow being bent with Pullies, the Nut drew back, and then out flew the Arrow with such violence, that it would reach twice as far as another; and if Tree or Stone stood in its way, down it went most certainly; which force and strength of shooting gave it the name of *Balista*. Upon the Battlements of the Walls was another sort of Engine placed for slinging of Stones, which they called *Wild Asses*; and at the Gates such as they termed *Wolves*, made after a fashion which something resembled Portculises. Upon the ground they erected two Beams which reached as high as the Battlements. On these they laid wrought pieces of Timber chequer-wise, some streight, and some across, joining them so together, that the distances betwixt the pieces served for holes, or open places. Upon each joint stuck a piece of Wood, pointed like a thick Spur. They fastned the cross Timbers to other Beams but half so long, and from the top reaching but half way down; then laying the Beams flat-long upon the Gates; when the Enemy approached, they drew a little down the higher Beams, which then falling flat with the wooden Spurs upon the Assailants, flew without fail all they lighted on. Such were the preparations *Belisarius* made for defence of *Rome*.

A *Balista*.

Other Engins, as *Wild Asses*,

Wolves

prepared by *Belisarius* for defence of *Rome*.

98. His *Balistæ* did such execution, both upon men and the Oxen which were to draw the Engins to the Walls, that the *Goths* having made an assault on the 18th day of the Siege, were forced to retire from the *Porta Belisaria*. But *Vitigis*, though here repulsed, left a good part of the Army to divert the General, by plying the Battlements with Shot at a distance, and resolved to attaque another Part called the *Vivarium*, or Park, lying near the *Porta Prænestina*, where the Walls were most assaultable. Another Party of *Goths* gave the onset at *Porta Aurelia*, which stood *Adrian's* Tomb, a Place but slenderly guarded, both because *Belisarius* thought there was no great need of it, the Wall being strong in this part, and the River running under it; and the Emperour's Army being but five thousand, at the beginning of the Siege he was constrained to distribute his men to the most necessary Places. The Assailants being covered by the *Porticus*, which then reached to Saint *Peter's Church*, were not discovered by the Defendants, till they were got very near,

Sect. I. which rendred the *Baliſtæ* of the *Romans* uſeleſs; and from the ordinary Arrows they ſecured themſelves with their Leather Bucklers, which much reſembled the *Perſian* Targets. Preſſing hard forward, and plying the Battlements with their Shot, they had almoſt incompaſſed the Tomb, and were ready to ſet to their Ladders, which ſo far diſcouraged the Beſieged, that they deſpaired of reſiſtence, till they took a reſolution of tumbling the Statues and great Stones which ſtood upon the Tomb, on the Enemies head, who was hereby forced to give ground, and then the *Romans* taking courage, repelled them without much labour. They attempted alſo *Porta Pancratiana* upon the River, to no purpoſe; but that Place, which of all others had been moſt for their deſign, they utterly neglected. This was a part of the Wall betwixt the two Gates, *Flaminia* and *Pinciana*, which had of a long time been broken down half way from the top; and *Beliſarius* at his firſt coming went about to repair, but the *Romans* hindred him, alledging that the Apoſtle *Peter*, whom above all they reverenced, had promiſed to protect the Place. And their expectation, ſaith our Authour, did not deceive them; for the Enemy, during all the Siege never approached it, to the great wonder of the Defendants. And no man ſince that time hath been ſo bold as to repair it, the Wall remaining in the ſame condition, and broken as formerly.

99. In the mean time *Beſſas* and *Peranius* being hotly charged by *Vitigis* at the *Vivarium*, or Park, ſent for *Beliſarius*. Long before this time the *Romans* perceiving the ground here to be flat, and the Wall decayed, had compaſſed it with a Flancker, not onely for defence and ſafety, but for pleaſure, as keeping of Lions, and other wild Beaſts, whence it had its name. It had no Battlements, nor any other Fortification; and therefore *Vitigis* ordered his Engins to be brought hither, and doubted not, but if he could break through the Flancker into the Park, to carry the City, the Walls within being of no moment at all. Yet did *Beliſarius* ſuffer them to break in, and then ſending *Cyprianus* upon them (who did great execution by reaſon of the ſtraitneſs of the Paſſage whereat they entred) fallied out againſt the *Goths* with his whole Army, ſet fire to their Engins, and charged them with ſuch violence, that he put them to flight, having taken care that at *Porta Salaria* ſhould at the ſame time be made another Sally; ſo that as they ran from one place, they were unexpectedly received at another; and being both aſſailed by the Purſuers, intercepted by others that lay in wait for them, and plied with continual Shot from the Battlements, thirty thouſand of them were ſlain, and more wounded, the buſineſs laſting the whole day. This Succeſs exceedingly incouraged the Defendants, but the General knew this would not doe the work. For the *Goths* were ſtill twelve thouſand ſtrong; and *Vitigis*, he doubted not, underſtood ſo far his Intereſt, as to dread being baffled in this his deſign. Knowing that the Siege was like to continue long, he wrote to the Emperour for new ſupplies. The uſeleſs Multitude he ſent out of the City, ſome into *Campania*, ſome into *Sicily*, or elſewhere, as they could be beſt diſpoſed of; and becauſe his Souldiers were ſo few, that all parts of the Wall could not be guarded, and they muſt needs be ſpent with continual duty, he liſted the poor Artificers who had no means of ſubſiſtence left them, and mingling them with the Souldiers, allowed them daily pay, whereby he provided both for the indigent Inhabitants, and the relief of his ſick and wounded men. Having ſome ſuſpicion that *Silverius* the *Roman* Biſhop practiſed to betray the City, he ſent him away into *Greece*, and ſoon after placed *Vigilius* in his Chair. Upon the ſame account he baniſhed certain Senatours, whom after the retirement of the *Goths* he recalled. Fearing deſigns upon the Gates, he broke the Keys twice a month; every night he changed Sentinels, as alſo their Officers who walked the round, with the names of the Sentinels in writing, having orders to place new ones where they found any miſſing; and the day following to produce ſuch as had made default to receive their puniſhment. He cauſed Muſicians to play all night upon the Battlements. And ſent out *Moors* to lie with Dogs about the Ditch, to diſcover ſuch as came toward the Walls.

Beliſarius makes very ſucceſſfull Sallies.

100. *Vitigis* finding himſelf overmatched, broke out into a rage, and cauſed all the *Roman* Senatours, whom at the beginning of the War he had brought to *Ravenna*, to be put to death, two onely excepted, *Gerbentius*, and *Reparatus* (Brother to *Vigilius*, Biſhop of *Rome*) who having timely notice of it, withdrew themſelves into *Liguria*. Perceiving that the Beſieged had free paſſage and traffick, as well by Sea as Land, he reſolved to take in *Portus*, or the *Roman* Haven, lying at thirteen miles diſtance, at the Rivers mouth; and this he eaſily did, the Place having none to defend it, although three hundred men would have made it good, by reaſon of its ſtrength: but *Beliſarius* ſtatting Souldiers to defend *Rome* it ſelf, could not

Vitigis putteth to death *Roman* Senatours.

Sect. I. not poſſibly ſpare any Garriſon for it. When it was but a little too late, about twenty days after came a ſupply from the Emperour of ſixteen hundred Horſe, under command of *Martinus*, and *Valerianus*, moſt *Hunnes*, *Slavonians* and *Antæ*, ſeated beyond the River *Danubius*. With theſe he reſolved to make war upon the Enemy, and ſo managed his buſineſs with that induſtry and rare ſagacity, that in three gallant Sallies he killed about four thouſand *Goths*, and a little after cut off near a thouſand more, whom their King, in imitation of *Beliſarius* his conduct, had ſent at two ſeveral times towards the Walls, by ſuch ſmall Forces to indamage the Beſieged. *Vitigis*, beſides the inequality of the match betwixt him and *Beliſarius*, had this great diſadvantage, which, though the other underſtood very well, he never conſidered. Almoſt all the *Romans*, and the Auxiliary *Hunnes* were Archers on horſeback. The *Gothick* Horſe uſed onely Lances and Swords, and all their Archers fought on foot, incircled with their heavy armed men. Hence it came to paſs that their Horſemen, unleſs they came to hand-ſtrokes, could doe no ſervice, but were eaſily ſhot and ruined, and their Foot could not make incurſions againſt the Enemies Horſe. The *Goths* feeling the effects, though they underſtood not the cauſe, would no more approach the Walls, nor purſue the Enemy any farther than to drive them from their Trenches. The *Romans* on the other ſide were elevated with their proſperity, and grew ſo reſolute and gay-humoured, that ſcorning to carry their buſineſs as formerly by ſallies and ſurprize, they would have the War managed in a brave and open way, and longed to come to a general Battel.

101. *Beliſarius*, knowing well what odds there were againſt him, could not approve of any ſuch deſign, till wearied with the exclamations, both of Citizens and Souldiers, at length he reſolved upon a Battel; yet ſo as he would begin with Excurſions. He often attempted this way, but without ſucceſs, which made him fully determine to fight openly; and the *Goths* being informed by Fugitives of his deſign, were not a little pleaſed, being quite out of heart, by reaſon of his ſtrategems, and hoping not to find him the ſame man in a pitcht and open Battel. Having prudently ſignified to his men the change of his Reſolution, and exhorted them ſo to ſtand by him therein, that they might render proſperous that courſe by their valour, upon which their courage and forwardneſs had put him, he led out his Army at the two Gates, *Pinciana* and *Salaria*. He ordered *Valentinus*, a Commander of Horſe, to paſs by *Porta Aurelia* into *Nero's* Fields, with a ſmall Party; and there to make onely a countenance of fighting, and keep the ſtrong Body of *Goths*, which lay in that place, from paſſing the Bridge of *Milvius* (which ſtood at a diſtance from the City) and relieving their Fellows. This diviſion he took to be of the greateſt importance; and therefore not daring to mix the new Volunteers, who were moſt of them Artificers, and utterly unpractiſed in matters of this nature, with the reſt of his Army, for fear of diſorder; he aſſigned them a Poſt without *Porta Pancratiana*, beyond the *Tiber*, hoping that the *Goths* in *Nero's* Fields would be ſo apprehenſive, both of them and *Valentinus* his Troops, that they would not dare to quit their ſtation, to join themſelves with the reſt of their Army. He reſolved to fight onely with Horſe, becauſe moſt of his Foot had got Horſe from the Enemy, and were expert Riders, his Infantry was inconſiderable, both for number and courage, and not able to form any conſiderable Battalion; he would therefore place them near the City-ditch, to receive the Horſe, in caſe of a defeat, and to repulſe the Enemy. But *Principius*, one of his Guard, and *Tarmutus*, Brother to *Ennes*, Captain of the *Iſaurians*, laid before him how great an inconvenience it would be to want his Foot, and to put an affront upon the *Roman* Infantry, which in all Ages had born the brunt of War, and had indeed cut out the way by their Swords to that greatneſs of Empire, to which that State had arrived. All the miſcarriages of this War they caſt upon the Commanders, and begged leave that they on foot might now ſupply their places, reſolving to ſtand the ſhock of the great Multitude of the Barbarians. The General at firſt denied the motion, both out of reſpect to their Perſons, and the Infantry it ſelf, which he knew muſt be brought into extreme danger. At length, at their importunity, he yielded that ſome few Foot, being placed at the Gates, upon the Batrelments, with the common People, and about the Engins, the reſt ſhould be commanded by thoſe two Officers, but ſtand in order behind him, leſt by apprehenſion of danger, they ſhould put the Army into any diſturbance; and that receiving ſuch Horſe as were routed in ſeaſonable time, they might reſiſt and repell the Purſuers.

Beliſarius provides for a pitcht Battel, being conſtrained by his Souldiers and the Citizens.

102. *Vitigis* put his whole Army into a readineſs, and ordered certain Troops, under command of *Marcias*, to keep *Nero's* Fields, and continue Maſters of the Bridge. Having excited his men to animoſity, by propounding to them the ſad

Sect. I. Pattern of the *Vandals* in *Africk*, he placed his battalions of Foot betwixt the wings of the Horse, and both near the Camp, that in case of a rout they might have the farther to pursue, and doe greater execution; for if they could but once come to hand-strokes, he little doubted to overpower the small numbers of the Enemy. Yet at first the *Romans* had the better, the *Goths* falling thick by the Shot, but such were their numbers, that they could not be missing; and *Belisarius* his men now fully perceived that their valour, how great soever, was far inferiour to the conduct and wisedom of their General, whom, though they had in a manner constrained to this way of fighting, yet now they thought they should doe bravely enough, if they onely pushed on the Fight as far as the Intrenchments, and having done some execution, could retire into the City with the first fair pretence. In *Nero's* Fields the *Romans* fell suddenly upon the *Goths*, and terrified them so with their multitudes, that they fled in disorder to an Hill, for they took them all for Souldiers, and armed, though most of them were nothing less, a great number of Seamen and Slaves being also mixed with them. And they speedily made it appear how the *Goths* had misconceived of them, falling into confusion, and growing deaf to all the directions of *Valentinus* their Captain. They suffered the *Goths* quietly to retire, neither would they pass over the Bridge to the assistence of *Belisarius*, nor by breaking it down, cut off the passage of the Enemy, by which means they might have easily gained the day; but applied themselves wholly to rifling and pillage. The *Goths* viewing them for a time, when they could once believe their own eyes, and perceived how madly they neglected their opportunity, fell with great violence down upon them, and easily routed them, being thus intent upon their plunder. In the mean time, the *Roman* Forces, at the *Goths* intrenchment, were much diminished and weakned, though fewer fell on their Side than the other, by reason that the disproportion was so great betwixt the two Armies. The Barbarian Horse seeing their advantage charged the Enemy with their Lances, who not abiding the shock, retired to their Foot, which neither enduring the charge, both Horse and Foot ran away, with the *Goths* at their backs, the whole Army being absolutely routed. By the means of *Principius* and *Tarmutus*, the Foot, and most of the Horse escaped with greater ease; for they scorning to fly, still bore upon the Enemy, and fought with admirable resolution. *Principius* was cut in pieces, together with two and forty of the Foot. *Tarmutus*, when he was even quite spent, was rescued by his Brother, and recovered the Gates, but there fell down in a swoun; and being carried in upon a Target, survived but two days, leaving behind him immortal honour. The *Romans* within fearing Enemies and Friends might enter pell mell into the City, tumultuously shut the Gates against the flying Souldiers, who in this distress leaped over the Ditch, and stood trembling, with their backs to the Walls, unable with their broken Lances and Bows to keep off the *Goths*, who were ready to leap over to them; till seeing numbers of common People and Souldiers appear upon the Battlements, after some reviling Language, they despaired of success, and so retired.

The *Roman* Army routed.

103. The *Roman* Souldiers, taught by this lesson of experience what they refused to learn from the Precepts of their General, were now well satisfied that there was no ingaging with their whole Army, and therefore skirmished, as formerly, with their Horse lined with Foot, which marched by the Saddle skirts, and ever had the better of the Barbarians, though they used the very same manner of fighting. Many gallant Acts were performed by several of the General's Life-guard, and others; with which the time was spent, till he understood that a supply of money was already arrived in *Italy*, which how he should get into the City undiscovered by the Enemy, must now needs be both his great study and desire. He led out his whole Army, as if he was fully bent upon a battel, which amused the *Goths*, and caused them to unite together, whereby they were diverted from the Place where he had appointed the Treasure, with its Convoy, to enter. But they could not live upon money. Both Famine and Plague raged sore in the City the Summer following, which so much overcame the patience of the Citizens, that they importuned *Belisarius* to come to another Battel, and promised that not one of them would be absent from it. He quieted them by protesting that suddenly they should have Supplies from the Emperour, telling them, that an Army was coming so big, that no one Province of the Empire but contributed to it, and such a Fleet was already arrived as no *Roman* Eyes had ever beheld the like, for it covered the Shores of *Campania*, and much of the *Ionian* Gulf it self. And it being reported, indeed, that the Emperour would send Forces to *Naples*, he dispatcht thither *Procopius* the Historian, both to lead the Souldiers, to freight Ships with Corn, and with a sufficient Convoy to bring them to *Ostia*. Taking more heart from this and other incouragements,

Procopius de Bell. Gothic. lib. 2.

Belisarius in a manner besieges the Besiegers.

ments, he not onely reinforced his own Garrison, but by seizing on the neighbouring fortresses, and the several Avenues about the Town, intercepted the provisions which came to the *Goths*, and in a manner besieged the Besiegers. Sect. I.

Succours arrive from *Constantinople.*

104. From *Constantinople*, at length, arrived at *Naples* three thousand *Isaurians*, at *Hydrus*, or *Otranto*, eight hundred Horse *Thracians*, besides one thousand Horse more, and three hundred already had reached *Rome*, by the way of *Samnium* and *Via Latina*. In their march through *Campania*, they joyned to them five hundred men newly levied there, and coasted along the Sea-shore, having many Waggons with them, wherewith to fortifie themselves if occasion should be; besides the convenience of carrying Corn and other Provisions: Some Troops they sent by Sea to meet and joyn with them at *Ostia*. *Belisarius* having Intelligence of their motions, had reason to be concerned lest the *Goths* by their multitudes should intercept and cut them off, and therefore had recourse to his seldom failing Strategems. At the beginning of the War he had caused to be rammed up with stones the Gate called *Porta Flaminia*, not finding it so convenient for Sallies, and lest the Enemy should make advantage of that weak place and force the City. From this Gate he now caused the stones to be removed in great secrecy, and there placing as covertly as might be the greatest part of his Army, ordered certain Forces to issue out at another Gate, and after some short Skirmishing, to counterfeit a flight, and draw down the *Goths* to the *Flaminian* Gate, whence he Sallied unexpectedly with his whole Power, and did great execution. By these disasters their Courage was now quite broken; they saw they had to doe with a Captain, who as well in downright Valour, as sagacity and strategems could not be matched; they themselves instead of Conquering the Besieged by Straits and difficulties, were pinched with Famine, being excluded from all Provisions, and what by the War, and what by the Plague and other Calamities, were reduced from many thousands to a far inferiour number. But when they heard of the Forces arrived from *Constantinople*, the number and power of which fame had increased beyond their due proportion, they then consulted about a Retreat, and how with best advantages of honour and safety they might retire. They sent three Commissioners into the City with instructions to insist upon the violence and force which *Justinian* by this Invasion had put upon them, being the rightfull owners and Possessours of *Italy*, ever since *Zeno* the Emperour had passed that Countrey over to *Theodorich*, when he put him upon making War with *Odoacer* and the *Heruli*. By the Mouths of these men they boasted, that they had maintained the Commonwealth and Laws, in as great freedom and vigour as ever did any Emperour. That there had not been any one new Law made by *Theodorich*, or any of his Successours written or unwritten. And as for Religion, that they had not at all infringed the liberty of Conscience to the *Italians*, nor violated the privileges and immunities of the *Roman* Churches. In a word, that all preferments had been conferred upon *Romans*, not a *Goth* being advanced to any place of Note, particularly they had given way that the *Roman* Consulship should yearly be conferred on *Romans* by the Eastern Emperours.

The *Goths* send to treat.

105. *Belisarius* denied utterly, that *Zeno* had conferred the Dominion and Sovereignty of *Italy* upon *Theodorich*, though he was content to employ him against the Usurpation of *Odoacer*. He inveyed against the ingratitude of that King, who never thought himself of restoring that Countrey to the true and undoubted Lord, and told the Messengers, they must not think he could give away the Emperour's Provinces. They then offered to quit *Sicily*, which they knew to be very commodious for the bridling of *Africk*. He answered that the Emperours had also quitted *Brittain*, an Island much larger than *Sicily*, and left it to the *Goths*, out of a principle of bounty and gratitude, to such as well deserved of them, and therefore he could not account this of theirs to be so great an Offer. They then mentioned *Campania* and *Naples*, and the payment of an Annual Tribute, but still his answer was, that he had no other Power or Commission than to repossess the Emperour of what was his own; and therefore as the last remedy, they desired they might have liberty to send to the Emperour himself, and that he would think of some reasonable time of Truce for that purpose. To this he replied that he was not averse, and after several meetings, at length a Cessation, and exchange of Hostages was agreed on, the Cessation to continue three Months till Ambassadours might be dispatcht for the Emperour's Resolutions, who should return home in safety though the truce were broken, by default of either party. During this Negotiation, the *Romans* had time and opportunity to receive in the supplies of Men, Money, and Provisions lately mentioned. They continued Masters at Sea, and for that reason the *Goths* were more and more straitned of Provisions, and constrained

Belisarius gives them leave to send to the Emperour.

Sect. I. ſtrained to abandon *Portus*, and ſeveral places and Poſts which they had taken up about the City, the better to block it up. Theſe places *Beliſarius* cauſed inſtantly to be ſeized and Garriſoned by his own men, which lying at ſome diſtance and in a Circle, the Beſiegers perceived themſelves now plainly beleagured, and being impatient thereof, ſent to expoſtulate with the General, and to demand a ſpeedy reſtitution, as having onely upon ſome occaſion withdrawn their men, and not expected the places would be ſo ſurprized. The cauſe of their quitting them being ſo notorious, he onely laughed at their pretext, and then they began to be jealous of each other.

106. He nevertheleſs proſecuted his Deſign to the utmoſt, and made the beſt advantage of all occurrences. Finding *Rome* ſufficiently provided of men, he ſent out the ſupernumeraries into the Countrey to be as a flying Army, to catch at opportunities, either of doing ſome thing notable againſt the Beſiegers, in caſe the truce ſhould be broken, or ſeizing ſuch places as they might conveniently attack. Greater hopes ſtill attended his affairs, for about this time came *Datius* Biſhop of *Milan*, with ſome of the principal Citizens, promiſing him to reduce not onely that City to the obedience of the Emperour, but all *Liguria* with it; yet all felicities have their inconveniences attending, there is nothing abſolutely good in this World, the beſt men, if not the beſt gems, have their flaws and imperfections. Though *Beliſarius* underſtood all the arts of a General, was perfectly practiſed in the myſtery of Fencing, knew his guard, and as well how to keep off all the violent aſſaults, as undermine and obviate all the cunning attempts and ſecret plots of his Enemies, yet he either ſuffered himſelf to be ſurprized by paſſion, or deluded by feminine inſinuations. There was one *Præſidius* a *Roman* Citizen of good Quality, who dwelling at *Revenna*, upon great diſpleaſure conceived againſt the *Goths*, withdrew himſelf privately from that City, at ſuch time as *Vitigis* marched toward *Rome*, communicating his Deſign to none, nor taking money or any thing elſe with him, but two ſhort Swords, the Scabbards of which were ſet with much Gold and pretious Stones. When he was come as far as *Spoletum*, *Conſtantinus* then happening to be there, upon notice given him of the Swords, ſent *Maxentiolus* one of his Guard, and took them from him by plain force. He was much grieved and offended at the wrong, and haſted to *Rome* to complain to *Beliſarius*; but the Siege and all the difficulties thereof coming on, he held his peace till this time, when he thought the dangers were well over. Making now his complaint, the General reproved *Conſtantinus*, and adviſed him to waſh his hands of ſo foul an Imputation, but he put it off with a Jeſt, and onely drolled with the man whom he had wronged. *Præſidius* hereby inraged, and meeting *Beliſarius* as he rid through the *Forum*, took his Horſe by the Bridle, and with ſome clamour demanded, whether it was the Emperour's Law that a poor ſupplicant flying to *Rome* for refuge from Barbarians, ſhould be robbed of what he had about him. For all the threats of the Guard, he would not let go the Bridle till the General had promiſed him, that the Scimitars ſhould be reſtored.

107. The next day *Beliſarius* ſent for *Conſtantinus* and other Officers, and laid his Commands upon him to reſtore the Swords; to which he anſwered, that he would ſooner caſt them into the *Tiber*. The General growing angry, askt him if he thought not himſelf to be under his Command, to which he replied, that in other things he would obey him, becauſe ſuch was the Emperour's pleaſure, but that which he now Commanded, he would never doe. *Beliſarius* at this called in his Guards, which being perceived by *Conſtantinus*, he asked if it was to kill him. The General ſaid no, but to compell *Maxentiolus* to reſtore the Swords, which he had taken from the man and given unto him. But he concluding it was to kill him, thought to ſell his Life at a dear rate; and drawing a ſhort Sword, made a paſs at *Beliſarius*, who by ſtepping back, and imbracing *Beſſas* that ſtood next him, avoided the danger. Yet ſtill in a rage he made at him, but two others of the Commanders laid hold of his hands, and drew him back till the Guard came in and wreſted the Sword from him. Then and there they hurt him not, out of reſpect to the preſence of the Officers, but carrying him into another Room, there killed him by Command of *Beliſarius*, who in this one thing, ſaith our Hiſtorian, offended againſt the Laws of Piety and his own Inclinations, being otherwiſe eminent for his moderation towards all men. This *Procopius* wrote and publiſhed in the life-time of *Beliſarius*, but in his ſecret Hiſtory as they call it, he gives us another account of this tragical Act, and makes the deſign of it more private and deep laid, and impious above meaſure. The Reader muſt therefore know, from another pretended Treatiſe of our Authour, that *Antonina* the General's Lady, was very vitious of her Body, and by her Domeſticks was diſcovered to be frequently naught with *Theodoſius* a young

Beliſarius cauſeth *Conſtantinus* to be killed.

Vide Procopii Arcana Hiſt. c. 2, 3. Edit. Alemanni Lugd. 1623.

a young man, whom ſhe and her Husband had Chriſtned juſt as they departed from *Conſtantinople*, and carried along with them in their expedition into *Africk*. Their ſecret practices being made known to *Beliſarius*, he gave order to ſome of his Guard to kill him, but he having notice thereof, fled away to *Epheſus*, for thoſe about the General choſe rather to let him goe, than incur the indignation of *Antonina*; knowing their Maſter to be ſo fickle and uxorious, that there was no heed to be taken of his Reſolutions. And ſhe ſo plied him with her Language, and cunning inſinuations, that he was content to believe that ſhe was wronged, to recall *Theodoſius* and to give up into her hands her Accuſers, whom, as the report went, ſhe firſt puniſhed by cutting out their Tongues, and then ſhe cauſed the wretched Creatures to be cut in pieces, put in ſacks and caſt into the Sea. Now it ſo happened, that amongſt others who pitied the Caſe of the General, *Conſtantinus* was much concerned for him, and let fall this expreſſion, that had it been his caſe, he would rather have indeavoured the deſtruction of the Woman, than of the young man. The words being carried to *Antonina*, ſhe conceived implacable malice againſt him, but kept it cloſe, that ſhe might the better find out a convenient opportunity to vent it. At length ſhe took this advantage, and ſo followed it on, that when *Conſtantinus* had elſe been eaſily pardoned for that wherein he had offended *Præſidius* and *Beliſarius*, ſhe procured him to be made away, to the General's great diſhonour, who incurred thereby much diſpleaſure, both with the Emperour and his Nobility. For this *Conſtantinus*, or *Conſtantianus*, was Maſter of the Horſe to *Juſtinian*, was a man eminent for good Conduct, both in affairs of Peace and War, having done extraordinary good Service in *Dalmatia*, *Libania* and ſeveral other places. But he was to have a miſchief, as *Procopius* obſerves, and this, if we could believe the Authour of the *Appendix* to *Marcellinus* his Chronicon before that grave Writer, happened to him not at *Rome* but in *Campania*. *Vide Baron. ad h. Ann.*

108. However, we muſt return from this his Tragedy to that City, on which we ſhall now find the *Goths* to have a Deſign, notwithſtanding the Truce. They let down ſome Souldiers into an Aqueduct to diſcover, if there was any paſſage by it to be made into the Town, and they found their way clear and direct into the midſt of the City, where in ancient times an Aſcent had been made into the Palace; and *Beliſarius* in the beginning of the Siege, had providently raiſed a Work to damm up the Cave. Finding here a full ſtop, they returned and made a report to *Vitigis* of their Adventure. In their paſſage up the Vault it happened, that at a certain place not far from the Walls, there being a breach in the Arch, one of the Sentinels ſaw light, which he diſcovered to his Fellows, but they made nothing of it, concluding it to be the eyes of ſome Wolf, which in ſo dark a place ſhewed like Fire. But the ſtory going from one to another, at laſt it came as a matter of news to the General's ear, who moſt wiſe and cautious, thought fit not to ſlight ſuch an hint as that might prove, but cauſed ſome of his men to enter the Aqueduct, who found therein ſcattered Lamps, droppings of Torches, and other things which ſufficiently manifeſted who had been lately there. He placed ſo ſtrong a Guard upon the Aqueduct, that the *Goths* perceiving it, knew they ſhould but looſe their time in any more attempts of that nature, and therefore reſolved upon a general Aſſault, and at Dinner time came on, on a ſudden, with their Scaling Ladders at *Porta Pinciana*. But their approach was not ſo ſecret, but that it was timely enough diſcovered by *Ildegerd*, whoſe turn it was then to Command the Watch, who finding them in diſorder by reaſon of the hurry, more couragiouſly charged them; and the Alarm being given through the Streets, the *Romans* flocked to the Walls, and ſo the Aſſailants were driven back, and forced diſgracefully to quit their enterprize. *Vitigis* ſtill had another Deſign: The Walls to the River were ſlightly Built, the ancient Inhabitants having there truſted to the natural Fortification of the *Tiber*, upon which account alſo that part of the City had at preſent no conſiderable Guard. He corrupted two *Romans* dwelling about St. *Peter's* Church, to carry a Veſſel of Wine to the Sentinels about the Evening, and there ſitting drinking with them till about Midnight, to put into their Cups a certain ſleepy Drug, which when it had had its perfect Operation, they were to give the ſignal to the *Goths* on the oppoſite Shore, who paſſing over to ſcale the Walls, that they might better doe their Work, he put his whole Army in a readineſs to Storm the City. But one of thoſe men diſcovered the Plot, and his fellow who had the Drug about him, being firſt tortured and forced to produce it, had his Noſe and Ears cut off, and then ſet upon an Aſs, was in that manner ſent into the Camp of the *Goths*, who acknowledged the hand of God in detecting and preventing all their Counſels, which tended to the taking of the City.

The *Goths* having attempted in vain, to enter *Rome* by an Aqueduct,

are repulſed in a deſigned Attacque.

Diſappointed in their Plot upon the Sentinels.

109. In

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109. In the mean time, the design which *Belisarius* had in sending out his supernumerary Forces upon other places of *Italy*, took well enough. *John*, who Commanded them, wasted all *Picenia*, overthrew and killed *Ulitheus* the Uncle of *Vitigis*, and seized on *Ariminum*, which being but a days Journey from *Ravenna*, the *Goths* (as he had rightly imagined) were much startled at the report, and extremely fearing *Ravenna*, as also being in great want of provisions, after they had spent one year and nine days in the Siege of *Rome*, about the Summer *Tropick* burnt up their Huts, and by day-break departed. *Belisarius*, when the one half of them were got over the Bridge, issued out and fell upon the Rere, which though it made head stoutly against him, yet many were Slain, and many Drowned, by pressing and crouding and falling into the River, with their Arms upon them. *Vitigis* put strong Garrisons into all places in his Passage, and marcht towards *Ariminum*, which he resolved by all means to recover. *Belisarius* guessing at his design by his Interest, dispatched away *Ildeger*, and *Martinus* with a thousand Horse to get before him, by taking some nearer way, and to cause *John* with his Troops to rise from thence, and to place in their room some Foot, which he ordered to be taken out of *Ancona*, a Town standing upon the *Ionian* Gulf, two days Journey from *Ariminum*. For he considered that this Town, being onely Garrisoned by Foot, and no Commanders of Note in it, the *Goths* might possibly despise it, as a work of no Mastery or advantage, and if they should Besiege it, that Provisions would last longer for Foot onely, and that *John*'s flying Body of two thousand Horse, would doe good Service against them, and possibly force them to raise their Siege. *Ildeger* and *Martinus* did as they were injoyned, easily preventing the *Goths*, who by reason of their Multitudes and want of Provisions, marcht slowly and out of their way; besides, they durst not come near the *Via Flaminia*, because that *Narnia*, *Spoletum* and *Perusia* were at that time held by the *Romans*.

Odiſſus, Welithe, bene famili. atus.

They raise their Siege.

110. In their way, *Martinus* and *Ildeger* took *Petra*, a Castle standing upon a Rock, almost inaccessible by reason of its steepness on one side, and a swift unfordable River running by the other. They took the Souldiers out of *Ancona*, and brought them to *Ariminum*, but *John* would not forsake the place, and detained four hundred men Commanded by *Damianus*. The City was instantly Besieged by *Vitigis*, who thought to doe his work by a wooden Tower, made higher than the Walls, which he would not have drawn by Oxen, as that of *Rome* had been, but born by men within it, who carried also a broad scaling Ladder wherewith the Souldiers should mount the Battlements. They carried it so near the Walls, that there was onely a small and inconsiderable trench betwixt them; but resting themselves by Night, and not fearing any opposition, *John* with a Company of Pioneers issued out, and inlarging the Trench, cast up the Earth toward the Town, and made therewith such a rampart that rendred the Engine useless the following day; for though *Vitigis* caused the Ditch to be filled with Faggots, yet the weight of the Turret so pressed them down, that they could not move it over them, and attempting to draw it back, *John* sallied out upon them, and an hot Fight began, so that the *Goths* hardly at last, and with great loss brought back the Turret to their Camp, resolving to make no more Assaults, but lie still and starve out the Enemy, whom they knew to be in great want of Provisions, and utterly at a loss how to come by any. In the mean time, *Belisarius* had his mind intent upon another quarter of *Italy*, sending a thousand men under Command of *Mundilas* towards *Milan*, if possible to get that City into the Emperour's hands, at least to transfer the Seat of the War into the Enemies Countrey. They took *Milan* without opposition and all *Liguria*, or the Countrey round about it, which when *Vitigis* understood, he dispatched thither, with an Army, *Vræas* his Sisters Son, and solicited *Theodebert* King of the *Franks* for assistence, who would not send him any of his own Subjects, for fear of disgusting the Emperour, but procured him ten thousand *Burgudians*, who pretended to come of their own accord. With them the *Goths* unexpectedly besieged *Milan*, and so straitned the *Romans* within, that in a little time they wanted Necessaries. *Mundilas* had also, by Garrisoning several other Towns thereabout, so lessened the numbers of the Souldiers, that the Townsmen were forced to Watch in their turns. So the Winter ended together with the third year of the War.

Vitigis besieges Ariminum.

Vitigis, Warlike, Belli quæſtor.

Vræas the Nephew of Vitigis besieges Milan.

111. About Midsummer following, *Belisarius* resolved to leave a small Garrison in *Rome*, and march against *Vitigis*. In his way he took in *Tudera* and *Clusium*, and received Intelligence that *Narses* an Eunuch, the *Comes Sacrarum Largitionum*, a man Valiant above the condition of Eunuchs, was from *Constantinople* arrived in *Picenia*. He brought with him five thousand men, commanded in several Regiments,

Narses the Eunuch comes from *Constantinople* with another Supply.

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ments, by *Justinus* General of *Illyrium*, and another *Narses* an *Armenian*, formerly mentioned, besides two thousand *Heruli* led by *Visigandus*, *Aloethes* and *Phanetheus*. The ancient Seat of these *Heruli* was beyond the River *Danubius*. They worshipped many Gods, whom they thought they pleased by humane Sacrifices, most of their other Customs being also different from the practices of the rest of the World. The Aged and Sick amongst them, were not suffered to stay the time which nature or the Disease had determined, but were upon their own desires, put upon a pile of Wood and thereon killed, by any *Herulian* except one of their own Kindred, for their Relations were not permitted to have any hand in their Death. This done, Fire was set to the Pile, and when the Body was Burnt, the remaining Bones were gathered together and Buried. If the man was Married, his Wife was to strangle her self at his Monument, or else be subject to perpetual infamy and reproach. This People in time subdued all Nations about them, and forced them to submit to the Yoke, amongst which were the *Lombards*, who had e'er this, imbraced the Christian Religion. Contrary to the former practice of Barbarians, they made these *Lombards* pay Tribute, either out of Ostentation, or a greedy desire of Wealth. When *Anastasius* the Emperour Reigned, they continued quiet for three years, having none upon whom they could justly exercise their Valour, but then out of impatience of rest and idleness, they reviled *Rodulphus* their Prince, as lazy and effeminate, who inraged by their reproaches, resolved to make War right or wrong, and the storm must fall upon the *Lombards*. There being not the least pretext of any miscarriage alledged for this Invasion, they sent to expostulate with him, offering to pay the last peny of their Tribute if any were behind, and rather than not to have Peace, to purchase it with an inlargement of their former Contributions. He dismissing the Ambassadours with ill looks and worse Language, they sent to him the second and third time, and when they could nothing prevail, they protested that if he would without any cause make a War, they must and would with their utmost force oppose the Invasion. And herein they appealed to Almighty God, as an indifferent Umpire, the least of whose Assistence they said was able to overbalance the greatest power of Earthly Potentates.

The *Heruli* who.

Quarrel with the *Lombards*.

112. The *Heruli* deaf to all such Religious Language, and placing their trust in the greatness of their numbers, prosecuted their Design, and resolved speedily to come to a Battel. Their expectation failed them; for many of them were Slain upon the place, together with *Rodulphus* their King, and the rest betaking them to their Heels, were almost all cut in pieces; for that the residue not able to protect themselves, who had lately fought the Destruction of others, were forced to quit their ancient Seats, and wandred up and down the Countries, lying upon the *Danube*, till they came at length to the place which the *Rugi* inhabited, before such time as they passed with the *Goths* into *Italy*. The ground was very waste and barren, so that they were forced hence by Famine, and journeying on sate down near the *Gepidæ*, who at first received them as humble Suppliants, but afterwards offered them many Indignities, ravishing their Wives, and driving away their Cattel, with which at last being tired, they passed the River, resolving to try the Courtesie of the *Romans*. *Anastasius* knowing the ground not to be sufficiently planted, was content to admit them, and there for some time they lived, till by committing several Insolences against the *Romans*, they incurred his Indignation, and drew a War upon their own heads, wherein most of them perished, as the rest had certainly done, but that they betook themselves to prayers and intreaties begging their Lives, and offering them to the Service of the Empire, to which yet they proved not usefull in the least degree. *Justinian* coming to the Government, for all this, was kind to them, giving them a good Countrey to Inhabit with other things, and making them his Friends and Associates, perswaded them to become Christians. Upon this they grew civiler, governing themselves according to the Laws of Christianity, for the most part, and serving the *Romans* in their Wars according as the nature of their League and Alliance required. Yet they retained their former perfidious, and covetous principles, which they accounted no disgrace at all. Of beastly lust they knew no bounds nor measures, not confining themselves to the use of mankind, of whether sex soever, but extending their extravagant appetite to other sorts of Animals. The truth is, saith *Procopius*, in wickedness they exceed all other Nations, and most commonly pay dear for the pravity of their disposition.

Being beaten, they changed their Seats.

Anastasius admits them.

113. Some few of them continued in their fidelity to the *Romans*, the rest revolted upon this occasion. They put to Death *Ochon* their King, for no other reason at all, but because they were resolved no more to live as Subjects. Indeed he had

Sect. 1. had been Master before, but of a mere Title, enjoying nothing of Royalty but the Name, for all sorts would sit and Eat with him, and as oft as they pleased, put affronts and indignities upon him; this being the most silly and light of all Nations, upon the face of the Earth. But they had no sooner committed, but they repented of that horrid Act, finding Anarchy more burthensome than Monarchy, and an absolute necessity of having some one to Command and rule them. After much time spent in debates, they resolved to send for one of the bloud Royal, from the Island of *Thule*, by which name *Procopius* calls and describes the vast continent of *Scandia*, being as it appears in Maps, of the form and fashion of a Peninsula. For when they fled their Countrey, after the Defeat received from the *Lombards*, some of them, as was said, seated themselves in *Illyrium*, others would not pass the *Danube*, but chose rather to plant in the utmost borders of the habitable World, and under conduct of many of the bloud Royal, making their way through the Countries of the *Slavi*, *Varni*, *Danes*, and others, at length arrived at the Ocean, over which they passed into the Island of *Thule*, as the Historian will have it, who spends time in a description of the place, which can agree with no other Countrey than that of *Scandia*. But the Messengers fetching one of the Bloud from this place, he died by the way, which forced them to return back, and bring another whose name was *Todosius*. But he being long upon his Journey, such *Heruli* as lived about *Singedon*, conceiving that the Emperour might be offended, if they made choice of a King without his advice and approbation, sent and desired him to name the man, who preferred to the place one *Suartas* of that Nation, that had lived long at *Constantinople*. Him they received and obeyed for some time, till they had news of the approach of *Todosius*, against whom as his Rival, he led them out, but when they were come within a days Journey, they revolted from him to the new Comer, and he was glad to fly for his Life to *Constantinople*. The Emperour consulted how he might provide for his own Honour in his restitution. The *Heruli* not ignorant hereof, betook themselves to the *Gepidæ*, and this was the occasion of their Revolt.

Vide Camdenum in Brit.

The Armies of *Belisarius* and *Narses* joyn.

114. But to our purpose, the Armies of *Belisarius* and *Narses* joyned together at *Firmum*, a City standing on the *Adriatick* Coast, where they consulted by what ways and methods they should manage the War. If they should go to the Relief of *Ariminum*, it was feared that the Enemy from *Auximum* would fall upon their Backs, and harass the Countrey inhabited by *Romans*. On the other side, it was thought hard to suffer the Besieged to perish for want of Necessaries. The Officers generally expressed much indignation against *John*, for having through rashness, and a thirst after Wealth, cast himself into so great a danger, and disobeyed the orders received from *Belisarius*. But *Narses* who loved the man above all things, for fear he should miscarry, pressed the General earnestly to march to *Ariminum*, whence in the nick of time as it fell out, Letters came from *John*, intimating that without Succour, he must necessarily yield the place within seven days. *Belisarius* found himself surrounded with difficulties, being either to loose *Ariminum*, or in all probability to suffer the Towns about *Auximum* to be Burnt and destroyed, and his own Army slanched and distressed in case of a Battel. To provide therefore against both inconveniences, he left *Aratius* with a thousand men by the Sea side, to be a check upon the Enemy in *Auximum*, with express Command, not to fight but in their own defence. He sent some Forces by Sea, under the Conduct of *Ildeger*, with orders to Sail directly for *Ariminum*, and to Land near the Foot, which he would have march by the Sea shore, under the Command of *Martinus*. And giving them directions to make many Fires when they came near the Enemy, to amuse him with a false apprehension of their numbers; he with *Narses* and the rest of the Army, marcht at a distance from the Sea by the Mountains, resolving not to come to a pitcht Battel, both because his numbers were short, and the *Goths* were grown desperate upon their misfortunes. But the division of his Forces, and the Strategems he used, had their wished effect. For, some straglers of the *Goths* lighting by chance upon a party of his men, and seeing others appear upon the Mountains, reported that he was at hand, with an innumerable Army. They prepared for a Battel, expecting him toward the North of *Ariminum*, and still having their eyes on the tops of the Mountains. But by Night, when they were about to take their rest, appeared the Fires, some seven miles off to the Eastward, kindled by *Martinus*, which cast them into a terrible fear, apprehending that the next Morning they should be surrounded; then by Sun rise, they saw a great Fleet coming, which struck them with consternation, made them altogether desperate, and deprived them of all power of Consultation, so

so that they neglected all Commands, being onely intent upon trussing up their Baggage, and thoughtfull how they might quit the Siege, and get into *Ravenna* with whole skins. Much of their Baggage they left behind, flying in such disorder and tumult, that had not the Besieged been heartless with their miseries, and feeble for want of Bread, they might easily have cut them in pieces, and made an end of the War. Sect. 1.

115. After this success, jealousies began to arise betwixt *Belisarius* and *Narses*, whose Followers flattered him by extolling his Power and Parts, and fomented the difference by persuading him that it was far below him to fight under the Standard of any General. *Belisarius* aware of it, sought to divert his humour by Action; and in an Assembly of Officers, discoursed much about the security and insolence which ever attend good fortune. He propounded to their consideration how strong an Enemy they had still to deal with. That *Vitigis* was in *Ravenna* with many thousands; that *Uræas* still besieged *Milan*, and held all *Liguria* at his devotion; in *Auximum* was yet remaining a great and gallant Army; and several other Places the *Goths* held, as far as *Urbiventum*, a City not far distant from *Rome*, each of which was able enough to contend with the Emperour's whole Power. He assured them their late successes had neither happened for want of men, nor courage on the side of the *Goths*, but that they had been overreached and tired out with variety of Strategems. His opinion therefore was, that part of the Army should be sent into *Liguria* and *Milan*, and the rest march to *Auximum*, and wait such opportunities as Providence should present. *Narses* excepted against this, that the rest of the Army should be confined to *Auximum*, alledging that the *Goths* from *Ravenna* would fall upon them, and that being charged on both sides, and wanting Provisions, they must necessarily perish. He told him he was not against his going to *Auximum* with a Party, in the mean time the rest would fall upon *Æmilia* (or *Lombard Cispadana*, reaching from the City of *Asi* to *Parma*) not doubting to give a good account of it, and so to alarm those in *Ravenna*, that *Belisarius* should bring *Auximum* to what Terms he pleased, all relief being thereby cut off. *Belisarius* dreading nothing more than the division of the Army, for he judged the Emperour's Affairs would thereby absolutely miscarry, produced the Letters of *Justinian*, by which it appeared, that he had not sent *Narses* into *Italy* to command his Forces, it being his pleasure that *Belisarius* should have the sole Command thereof, and the rest of the Officers observe his orders in all things concerning his service, and the good of the State.

Belisarius and *Narses* differ.

116. *Narses* took hold of the last words of the Letter, affirming that the General did now advise contrary to the good of the State, and therefore they were not obliged to follow his directions. Hereupon *Belisarius* sent *Peranius* with a Party to besiege *Urbiventum*, and he himself led the rest of the Army against *Urbinum*, a City distant from *Ariminum* a days journey, and situate upon a round high Hill, not craggy, but unsafe to mount, by reason of its steepness, and nearness to the City, onely to the North lies an entrance in the plain ground. *Narses* and *John* followed him, but encamped severally at the foot of the Hill, and e'er long persuading themselves that the Town was not to be won, because *John* had formerly in vain attempted it, they rose by night, and notwithstanding all the motives the General could use, went away with part of the Army to *Ariminum*. For all this *Belisarius* resolved to proceed, though the Besieged, seeing half of the Forces risen and departed, were much elevated, and he prepared for an Assault; when his business was done otherwise to his hand, by reason that the onely Fountain they had in the City dried up of it self, and in the space of three days so failed, that the *Goths* were constrained to drink water and mud together. Upon the approach of the Assailants, the Besieged yielded to Terms of Indemnity, which were readily granted, although the *Romans* knew nothing of the Fountain, and thought the terrour of their Arms had alone procured the Surrender. *Narses* lying still in *Ariminum*, was amazed at the success, and sensible of some reflexion upon himself, and his Companions, sent *John* with the Army against *Cesina*, which he finding impregnable, went, and took in by surprize an ancient City called *Forum Cornelii*, and afterwards recovered all *Æmilia*, the *Goths* avoiding all Ingagements. *Belisarius* having taken in *Urbinum*, considered that the Winter Tropick approached, and therefore thought it not expedient to go against *Auximum*, the siege of which he knew must be long; for the Town of it self, by reason of its Situation, was not to be forced, the *Goths* within it were many, and of the best, and having had time enough to provide for the worst, they had foraged the Countrey, and brought in great quantity of Provisions.

Narses parts from the other.

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117. He ordered therefore *Aratius* to winter in *Firmum*, to hinder the Incursions of the *Goths*; and understanding that the Garrison in *Urbiventum* was slenderly provided, he marched thither, hoping that upon sight of his Army they might yield the Place. Nature it self had made the Town impregnable, being built upon an Hill standing alone in a Valley, plain at the top, but toward the bottom craggy, and so incompassed with Rocks, that there was no need of Walls, or other Fortifications; for there was but one way to the City betwixt these Rocks, which being guarded, the Inhabitants feared no Attacque at any other part, considering that where the way lay into the Town, a large and unfordable River took up all the space betwixt the Hill and the Rocks. So that there was onely a small Block-house at the said Passage, and a Gate, which the *Goths* diligently watched. But *Belisarius* begirt the Town, hoping, by advantages he should make of the River and otherwise to starve them out. They were indeed very barely furnished, yet they indured beyond expectation when their Provisions failed, which they had so husbanded, as onely to keep life and soul together, feeding upon Hides and Skins soaked in water, and upon vain hopes suggested to them by *Albilas* their Governour, a man of great reputation amongst the *Goths*. But the Famine not onely raged within the Walls of this Town; for, the Summer following, the Corn in these Parts grew not in such quantity as formerly, being neither covered with the Plow nor Harrow, but lying upon the surface of the Land, which yielding but a small crop, this also was lost for want of reaping; for it shed, and never grew again. In *Tuscany* the Mountaineers fed upon Acorns, which bred all sorts of Diseases amongst them. In *Picenia* died for want of bread fifty thousand *Roman* Husbandmen, and more in other Parts. *Procopius*, who was an Eye-witness, thus describes their Countenances, and the manner of their deaths. They grew first lank and pale, choler prevailing (by reason of the natural heat its preying upon, and torrifying the humours, without any fresh supply) spread a yellowish and wan complexion about their Bodies. As the Disease increased, and moisture decayed, the Skin became like to a tanned Hide, as it seemed, cleaving to the Bones. Afterwards they grew as black as Links much burnt; their Countenances were ghastly and staring, like Mad-men. Famine made not an end of all, many perished by satiety and much eating; for the natural heat being consumed, together with that which nourished and maintained it, if they fed to satisfaction, and not by little and little, as new born Children, they overpowered it, and not able to digest, presently died. Sometimes Famine so overcame Nature, that they fed upon one another. Two Women about *Arimimum* were reported to have eaten seventeen men, killing them as they slept, and were by the eighteenth discovered, and by him served in the same kind. Many stooping to eat Grass, and not able to pull it up, fell upon their Hands, and died with some of it in their Mouth. There was not the least thought of Burials. Such ravenous Fowls as fed on dead Bodies would not touch these Carkasses, there being no Flesh to allure their Appetites. So grievous was the Famine.

Belisarius besieges *Urbiventum.*

A grievous Famine in *Italy.*

118. At this time *Milan* was besieged by the *Goths*, under the Command of *Vraeas*, which *Belisarius* understanding, sent *Martinus* and *Vliaris* to the relief of that City. They coming as far as the River *Poe*, a days journey from *Milan*, there encamped themselves, and though solicited by their distressed Friends, still loitered and deferred their passage, and at length excused themselves to the General by Letter, pretending that the *Goths* in *Liguria* were too strong for them, being assisted by a Multitude of *Burgundians*; and upon this account the Army feared to pass the River, with which they could doe no other than comply. Upon the receit of this Letter *Belisarius* commanded *John* and *Justinus* to join with *Martinus*, which they refused flatly to doe, except they received orders from *Narses*, to whom then he wrote, desiring that the Emperour's business might not be indangered by their mutual Emulations; and *Narses* was so moved, as to write to them to doe what the General had enjoined. But during these delays and tergiversations, the Besieged were infinitely distressed by Famine, forced to feed on Dogs, Rats, Mice, and such like Creatures. The *Goths* offered *Mundilas* and his Souldiers Terms of Indemnity, but resolved to destroy the *Ligurians*, which resolution so moved the Governour, that calling his men together, he earnestly endeavoured to dissuade them from yielding; inciting them by arguments drawn from honour and valour, to make a lusty sally upon the Besiegers. But they were deaf on this Ear, and yielding the City upon the Conditions offered, were made Prisoners together with *Mundilas*. The *Goths* demolisht the City, put all men of ripe age to the sword, to the number of three hundred thousand, the Women they made Slaves, and gave to the *Burgundians* as a reward. *Reparatus*, a Prefect, they cut in pieces, and cast him to the Dogs.

Milan yielded to the *Goths.*

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Dogs. *Bergantinus* onely with a few more escaped; and passing into *Dalmatia* through *Venetia* and other places, at length brought news of the disaster to the Court. The *Goths* making use of their good fortune, took in other Towns by composition, and reduced speedily all *Liguria*. *Martinus* and *Vliaris* with shame and disgrace enough, returned toward *Rome* with their Forces.

119. *Belisarius* knew nothing of what had passed till the Winter was over, and that he marcht with his Army into *Picenia*. *Vliaris* then he banished his presence; and the whole matter he wrote to the Emperour, who yet would punish no man: but understanding how great differences had been betwixt *Belisarius* and *Narses*, he recalled *Narses*, and gave to *Belisarius* as absolute command as ever. *Vitigis* was sensible, as well of the effects of this prudent resolution, as the disposition of *Belisarius*, who, he concluded, would the next Spring come against him in person to *Ravenna*. Now did he consult, as in a desperate condition, what might be the most proper way and method for redress of so impendent an evil. Of the faithfulness of the *Germans* (or *Franks*) they had had too fresh experience, wishing onely they might continue Neuters. *Varis*, King of the *Lombards*, as allied to the Emperour, declined all Overtures. And therefore, as he was advised by his ancientest and wisest men, he sent Ambassadours to *Chosroes* the *Persian* King, to persuade him to invade the *Roman* Territories, concluding, that if *Justinian* had such an Enemy at his back, he would give him sufficient diversion, and he must needs recall his best Captain, and make peace with himself and his *Goths* in the West, the better to attacque his Eastern Assailants. Thus indeed it came to pass; but in the mean time *Belisarius* following his present Instructions, and the course of his Fortunes, resolved if possible to take in *Auximum* and *Fæsulæ*; and then having cleared his passage, to set upon *Vitigis* in *Ravenna*. Having appointed sufficient Forces to besiege *Fæsulæ*, he himself with eleven thousand men sate down before *Auximum*, the Metropolis of *Picenia*, standing at ten miles and an half distance from the *Adriatick* Sea, and from *Ravenna* ten miles above three days journey, situate upon an high Hill, without entrance on any plain ground, and consequently not approachable by any Enemy.

Narses recalled.

Belli annus 5. incipit.

Belisarius besieges *Auximum.*

120. *Belisarius* besieged the Town, distributing his men into several Quarters; and notwithstanding their Ambushes, and some venturous things they attempted, yet the Besieged were driven into such straits, that they sent to *Vitigis*, whom they threatned with a speedy surrender of this Place (which he accounted the Key and Fortress of the Countrey) in case they had not sudden recruits. He promised them relief with no less than his whole Forces, but upon better consideration, when he had elevated them with vain hopes, he lay still in his Quarters, doubting indeed, lest *John* with his Troops should fall upon his back, but more discouraged by the failing of Necessaries; for he knew not any way to supply the Army, the *Romans* being Masters at Sea, and fetching their Provisions from *Sicily* and *Calabria*, which they landed at the Castle of *Ancona*, whilst the *Goths* groaned under the want of Necessaries. Hereupon they again earnestly solicite *Vitigis* for relief, who orders *Vraeas* with the *Goths* in *Liguria*, to go to their assistence, promising that he himself would follow with his whole power to raise the Siege. *Vraeas* past the *Poe*, and sate down at the distance of seven miles from the *Roman* Camp, thinking it sufficient to doe thus much without hazarding a Battel, which if they should lose, they should, he knew, endanger all: and the *Romans* were no whit eager of the fight, judging it enough to keep their new-come Enemies from joining with the Besieged. In the mean time, whilst these two Nations harassed and weakened each other; a third was aware of the effects of their quarrel, and seeing them so far spent by their mutual hostilities, that they had rendred themselves in all probability incapable of resistence, resolved to attacque both, and decide the controversie by removing the occasion of their dispute. These were the *Franks*, who repining after so many glorious Precedents of their Forefathers, so sit idle at home, conceived now they had a fit opportunity of making themselves Masters of (at least) a considerable part of *Italy*.

The *Franks* invade *Italy.*

121. Forgetting their late oaths and obligations, both to *Romans* and *Goths*, as being, in the judgment of *Procopius*, the most faithless of all men, they invaded *Italy* with an Army of an hundred thousand men under conduct of *Theodebert*. Of these, some were Horsemen, and attended their Kings: the rest Footmen, using neither Bows nor Lances, but a Sword, a Shield and a Battel-axe, the Iron whereof was broad and two-edged, and the handle as short as the hilt of a Sword; this at the first charge upon the signal given, they cast from them, and therewith breaking the Shields of their Enemies, did great execution. When the *Goths* perceived them to have

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Take the Camps of *Goths* and *Romans*.

122. The *Franks* thus became Masters of both the Camps, where they found Provisions sufficient for their present supply. But they were come into an exhausted Countrey, which afforded nothing but the flesh of Oxen, and water from the *Poe*; not any bread, nor any thing, except that liquid Element to digest the flesh, which cast them into fluxes and dysenteries, so that having no Medicines, nor other conveniences at hand, a third part of them are said to have perished, and the rest staid in these Parts, not able to march any farther. In the mean time, *Belisarius* hearing of this Invasion, and how the Troops of *John* and *Martinus* were routed, began to suspect the state of his Affairs; and desirous to divert the storm from his own Army, which he knew could not but be very great, in case the *Franks* and *Goths* should join together, he wrote to *Theodebert*, given him good words, and expostulating with him for the breach of these Articles, which he had most religiously signed, putting him withall in mind, that the Emperour's condition was not so weak, as to render him incapable of calling him hereafter to account. *Theodebert* somewhat moved with this Letter, more troubled at the opprobrious language of his men, who reviled him for suffering them to die like dogs in a desolate Countrey, and most of all touched with a sense of his present Estate, rose up with all his *Franks* that survived, and hasted home.

Belisarius writes to their King.

He returns home.

123. *Martinus* and *John* returned with their Troops to prevent the Enemy his raising the Siege of *Auximum*, wherein the *Goths* heard nothing of the *Franks* retreat, but quite spent, and out of heart, by reason of the delay of assistence promised from *Ravenna*, thought once more, and for all, to importune *Vitigis*; and not being able to send any Messenger out of the Town, by reason of the strict watch that was set upon them, they corrupted with money a Souldier in the *Roman* Army, who stood Sentinel to keep off the Inhabitants from cutting Grass, the best supply of Victual they now had. To their Letter sent by this Fellow, *Vitigis* returned a plausible and kind answer, which so animated them, that they refused all offers made by *Belisarius*. But finding they got nothing but good words, they sent the second time, declaring they should not be able to struggle with the Famine any longer than five days more, to which their King replied as formerly, holding them in suspence with the like hopes. The *Romans* all this while were weary of the siege in a barren Countrey, and disheartned at the obstinacious humour of the Besieged. *Belisarius* secretly admiring what the thing should be which thus held up their spirits, procured a *Sclavonian*, who, as the rest of his Countreymen upon the River *Ister*, was well practised in stealing Enemies, to catch one of the *Goths* that came out of the Town to gather Grass, by whom the whole matter about the Sentinel was discovered; for when brought face to face, the Fellow (by name *Barcenstis*, and a *Bessian* by Nation) confessed all; and being by the General delivered up to his Companions to be punished as they saw convenient, was burnt alive. *Belisarius* seeing them still hold out, thought he might possibly complete his design by

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by demolishing a Conduit, which from the North-side of the Town, and near to the Walls, supplied them with water. A great contest happened about this Conduit, the Besieged issuing out, and with all their force indeavouring to protect it, having the advantage of the upper ground, which they improved to the slaughter of their Enemies. But the *Romans* bore upon them still, *Belisarius* their General calling upon them, who whilst he thus performed the office of a valiant Commander, had lost his life, but that *Vingitus*, one of his Guard, perceiving the Arrow coming toward his Belly, put his Right hand between, and to his own great damage and misery saved him harmless. For being wounded, and in great extremity of pain, he retired; and afterwards his Sinews were cut asunder, and he lost the use of his Hand. Yet did the Besiegers so stoutly ply it, that they drove up the Garrison within the Walls: but when they expected the fruit of this labour, and thought the Conduit to be broken down, they were deceived, the men that were set about it, not being able to force one stone out of it, so strong and artificially was it built. Hereupon *Belisarius* caused dead Carkasses, Lime and poisonous Herbs to be cast into the water; and resolving to use no more force, attended to his Guards and Sentinels. For he doubted not in a short time they would be starved out, being in extraordinary great wants, and merely kept alive by expectation of relief from *Ravenna*.

Fesula yielded.

124. The Garrison in *Fæsulæ* at this time struggling with the same miseries, and despairing of succour from that Place, yielded to quarter. *Cyprian* leaving a Party in the Town, brought the Inhabitants, with his Army, before *Auximum*, where *Belisarius* shewed them to the Besieged, thereby signifying what they were to trust to, and how groundless were their hopes and expectations from their King. Considering of the matter, and how unable they were to hold out against the Famine, they offered to yield the Town on condition they might enjoy their lives and goods. The General was not averse to it; but the Souldier opposed it, shewing his wounds, and recounting the labours and dangers he had undergone in the siege, of which, he affirmed the plunder of the Town to be the due and proper reward. At length the *Romans*, forced by the pressing opportunity, and the *Goths* by the Famine, came to this accord, that the Souldiers should have half the goods, and the Besieged with the other half become Subjects to the Emperour, which was accordingly done, and the Town was immediately surrendred. *Belisarius* having thus taken *Auximum*, hasted toward *Ravenna* with his whole Army. Both sides of the River *Poe* he caused to be guarded, to hinder all importation of Provisions, and so it happened, that the *Goths*, having procured much Corn to be brought down the River in Barks, the water suddenly failed, and thereby it became prize to the *Romans*, who having seized it, the River as suddenly recovered its former stream, and became navigable; an accident unheard of in ancient times; so that Providence it self seemed to decide the Controversie. The Kings of the *Franks* understanding how matters passed, could not endure to think of the *Romans* regaining their possession of *Italy*, but desiring to push for it themselves, sent Ambassadours to *Vitigis*, offering him speedy Aid, on condition they might share the Countrey with him. *Belisarius* being aware of it, sent also his Messengers, who so disputed the business, and answered all the arguments of the *Franks*, that *Vitigis*, after long conference with his Nobility, dismist the Ambassadours with a denial, and inclined to an Accommodation with the Emperour. For by that which had lately happened at the *Poe*, he saw what assistence and fidelity was to be expected from the Alliance of the *Franks*.

Auximum surrendred.

Vitigis rejects the offers of the *Franks*.

125. Now began the *Romans* and *Goths* to send Messengers to each other. But *Belisarius* to make as sure work of it as he could, and to bring them to his Conditions, by his Guards still hindred the importation of Provisions. *Vitaliana*, he ordered into *Venetia*, there to take in what Towns he could; and hearing that in the Magazine of *Ravenna* there was much Corn, he procured a Citizen for a sum of money to set it on fire, and that with such secrecy and expedition, that they within knew not whether to impute it to lightning, or design, but it drove them into irresolution, and distrust of one another, and made them conclude that God himself made war against them. At this same time such *Goths* as inhabited the *Alpes Cottiæ*, which divided *Gall* from *Liguria*, under the command of *Sisigis*, yielded themselves to one *Thomas* of the General's Retinue, sent by him thither for that purpose. Just now was *Uraas* with four thousand men, gathered out of *Liguria*, and the *Alpes*, marching to the relief of *Ravenna*, but understanding what *Sisigis* had done, retreated, and went to besiege him and *Thomas* together. This coming to the knowledge of *John* and *Martin*, the Brother's Sons of *Vitaliana*, who then lay about the *Poe*, they hasted to their relief, surprised some of the Castles, and made Slaves amongst

The *Goths* inhabiting the *Alpes Cottiæ* yield.

Sect. 1. mongst others, many of the Wives and Children of *Vræas* his Souldiers, who perceiving they followed him to small purpose, whilst at home they lost all that was dear unto them, ran away suddenly to *John*. So that *Vræas* could doe nothing there, neither could he relieve *Ravenna*; but retiring with a few Followers into *Liguria*, there lay still, expecting better fortune.

126. Things thus standing at the *Alpes*, and *Vitigis* with his principal *Goths* being close shut up in *Ravenna*, *Dominicus* and *Maximinus* arrived, both of Senatorian Rank, as Ambassadours from the Emperour, with commission to make peace with *Vitigis* upon these terms; that he should enjoy half the Revenue, and the Dominion of the Countrey beyond the *Poe*; the other half to be the Emperour's, with the rest of *Italy*, which should all be subject to him, and pay him tribute. *Vitigis* and his *Goths* most gladly accepted the Conditions, but *Belisarius* fretted exceedingly, as thereby deprived of the glory of ending the War, and carrying *Vitigis* Captive to *Constantinople*, which he knew he could now accomplish without much trouble. He flatly refused to sign the Treaty, which made the *Goths* jealous that the Peace was fraudulently propounded, and raised the indignation of some of his Officers, who taxed him with a design to oppose the Emperour's service, and to lengthen the War. Hereat netled, he called together the Commanders, and told them he was resolved to stand to their determinations, who still affirming that the Emperour's Instructions were the best, and that they were not able to subdue the Enemy by war, he made them express it in writing, that they might not be able to deny it afterwards. But the *Goths* were now so pinched with famine, that they could hold out no longer. They were weary of *Vitigis* his government, yet scrupled to yield to the Emperour, fearing to be transported to *Constantinople*, and planted there-about. The Nobility upon the whole matter, resolved to declare *Belisarius* Emperour of the West, and sent to him underhand, promising him all fidelity and allegiance. He being tied to *Justinian* by oath never to innovate, during his life, would not take the Empire without his consent, and the name of an Usurper he abominated; yet he resolved to make use of this opportunity to facilitate his design, and therefore seemed to accept the offer. *Vitigis* perceiving the matter, commended the resolution of the *Goths* out of fear, and animated *Belisarius*, promising his assistence to remove all impediments out of the way.

Ambassadours from *Constantinople* with Terms, to which *Vitigis* yields.

Belisarius refuses to sign the Treaty.

The *Goths* Nobility would declare him Emperour of the West.

127. *Belisarius* keeping in his mind what had been concluded at the Council of Officers, lest they should mutiny, or make any stir, because their Resolution was not put in practice, now satisfied them that he could easily make *Vitigis*, and all his *Goths*, the Emperour's Captives, share their Wealth, and recover all *Italy* to the *Romans*, which they earnestly prayed him to effect. Then did he send to the *Goths*, willing them to perform their offer immediately; and being pressed sore with famine, they hasted away their Ambassadours, whom they commanded publickly to speak of nothing of moment, but privately to take oath of *Belisarius*, that he would not any way endamage the *Goths*, who should enjoy the same privileges and immunities, as the *Romans* themselves. As to other things, he swore in a certain form of words; but for the Empire, he said he would give oath to *Vitigis* himself, and the Commanders. The Ambassadours not imagining he would refuse the Sovereignty, which from their own inclinations, and the general temper of Mankind, they concluded that he desired above all things, prayed him to accompany them into *Ravenna*. He sent away *Narses*, *Aratius*, *Bessas* and *John*, to quarter in other Places, knowing them to bear him no good will, and alledging, that if they remained altogether, he could not possibly get sufficient provisions for such a multitude of men. Then with the rest of the Army did he enter *Ravenna*, and caused the Boats, laden with Corn, to be towed up into the Haven. *Procopius*, who beheld the entrance of the *Roman* Army into the City, tells us how by that sight he was convinced, that Affairs are neither carried on by multitudes of men, by valour, or any other humane efficacy; but that there is some higher and greater Power which steers, governs, and directs the minds of Mortals thither where nothing can hinder the preordained success. The *Goths* here had much the advantage both in power and numbers of men, since their coming to *Ravenna*, had not fought one Battel, nor received any accident, which could reasonably make any impression upon their Spirits; yet being subdued by those that were fewer and weaker than themselves, they counted it no shame to submit to slavery and bondage. The Women, who had been made believe that the Enemy was more numerous, and that the *Romans* were more tall and gallant Persons than they proved, when they saw the Souldiers enter, spit in the faces of their Husbands, and pointing at the Conquerours, upbraided them with their cowardise and indiscretion.

He makes use of their offer.

He enters *Ravenna*.

128. *Beli-*

Sect. 1.

128. *Belisarius* dispersed the *Goths* to their own Houses, fearing no insurrection, because of the Army so near garrison'd. *Vitigis* he kept in honourable restraint. The Treasures of the Palace he seized, with intent to carry them to *Constantinople*, but suffered none of the *Goths* to be plundred, leaving them their Estates according to the Accord. Now several Towns were, by such *Goths* as held them, surrendred into his hands; but in the mean time he was traduced to the Emperour, as designing to usurp, who believed not the Accusation; but the *Persian* War pressing, sent for him to make an Expedition that way. The *Goths* hearing he was called home, at first made little reckoning of it, not believing he would be guilty of so much folly, (such they accounted it,) as to refuse the Kingdom so fairly offered; but afterwards seeing what preparations he made to be gone, and that he was in earnest, thought it time, to lay their heads together. The cheifest of those that Inhabited beyond the *Poe*, betook themselves to *Vræas* the Sisters Son of *Vitigis*, whom lamenting sadly their Condition, they desired to take the government and conduct upon him, and lead them out upon some design, in the execution of which, at the worst they should but prefer a glorious Death before ignominious Slavery. As to action he agreed with them, but refused the Title of King, both because being so near a-kin to *Vitigis*, his bad success would make him despised, and he thought it not consistent with good nature to intrude upon his Uncle. He propounded to them *Ildebald* the Governour of *Verona*, a man very well accomplish't, and of great Valour, whose Uncle *Theudis* King of the *Visigoths*, would in all probability for his sake, espouse their cause and quarrel. *Ildebald* then was sent for from *Verona*, invested with the purple Robe and proclaimed King, which done, he advised that *Belisarius* should be sent to, and moved to put in execution what had been lately accorded, and after they knew his mind, that they should enter into Action, and govern themselves accordingly. Ambassadours are dispatched away, who put him in mind of the late Agreement, blame him for not having performed his promise, reproach him for being a voluntary Slave, and preferring Servitude before Sovereign Authority, and provoke him by all arguments possible, to accept the Government, assuring him of the fidelity of *Ildebald*, who, as they said, would willingly lay the purple at his feet, and salute him King of the *Goths* and *Italians*. But he contrary to their expectations, refused the Title, protesting that during the Life of *Justinian*, he would not meddle with any such matter; which after they had heard, they instantly departed, and made a report to those that sent them. *Belisarius* having left the charge of *Italy* with *Bessas*, *John* and some others, and ordered *Constantianus* to remove from *Dalmatia* to *Ravenna*, began his Journey towards *Constantinople*; the Winter ending, and with the fifth year of the War, the second Book of the History thereof written by *Procopius*.

Belisarius called to *Rome* for the *Persian* War.

Ildebald chosen King of the *Goths*.

Ildibadus potius Ildibaldus vel Hildibaldus. Teutonice Hildebald, eximie Audax, Ang. Highly bold.

129. *Ildebald* being secure of *Belisarius*, whom he knew to be upon his Journey, according to the Council formerly taken, gathered together all the *Goths* and discontented *Romans* he possibly could, and seriously applied himself to his Business, which was no less than an endeavour for the recovery of the Dominion of all *Italy*. He set up with a thousand men, and one single Town in *Picenum*; but within a while all *Liguria* and *Venetia* came dropping in to him. And his game was the greater by reason of one *Alexander* a *Logotheta* or Auditor of *Constantinople*, who having scraped together abundance of Wealth, by informations against Souldiers, whom he accused to have defrauded the Treasury; had raised much money for the Emperour, and from his clipping the Coin, had got the Nickname of *Forficula* or Scissers. Him after the recalling of *Belisarius* the Emperour sent into *Italy*, where setting up his Office in *Ravenna*, he called to account such as never had been employed, caused many to pay what they never had received, and the Souldiers for all their wounds and hazards, he requited with slender accounts and empty Tickets. Hereby the *Italians* grew ill affected to the Emperour, and the Souldiers were so alienated and indisposed to his Service, that they would not ingage their persons in any considerable enterprize, all which mightily advanced the affairs of the *Goths*. Neither would the Commanders which *Belisarius* had left to the defence of those Parts much concern themselves. Onely *Vitalis* who lay in *Venetia*, with a great number of *Herulians* besides others, resolved to try his Fortune with *Ildebald*, before his power should grow to too great an height. A Battel was valiantly Fought near *Tarvisium*, where the *Gothick* King had the better of his Enemy, who having lost most of his men, escaped and fled. This success got *Ildebald* reputation, which he no sooner had got, but as suddenly he lost it, together with his Life. A pique arising betwixt his Queen and the Wife of *Vræas*, who despised her for her mean Habit and attendance, whilst as yet her Husband enjoyed no Royal Re-

Procopius Belli Gothici, lib. 3.

Alexander Forficula being sent into *Italy* doeth much mischief.

Ildebald beats *Vitalis*.

Sect. I. rally as they could, with a few followers, made to the neareſt Towns, and there ſecured themſelves.

133. *Totilas* without delay ſent Forces to beſiege *Florence*, which was then governed by *John*, who having little or no Proviſion for holding out, ſent to *Ravenna*, praying the Commanders he might be relieved. Hereupon a conſiderable Army was ſent, and upon rumour of its approach, the *Goths* raiſed the Siege, and removed to *Micale* a Town diſtant from *Florence* a days Journey, whither, the *Romans* having left a few men in the City, purſued them, and it was agreed, that ſome one of the Commanders ſhould ſuddenly ſet upon the Enemy, and the reſt to march after fair and ſoftly. The lot fell to *John*; but then again the Officers would not ſtand to the Agreement, ſo that he was conſtrained with his own Troops onely to ingage, and a ſharp Encounter followed, wherein he at length had the diſadvantage. Yet had the reſt come up in time, faln in with him and ſet upon the Enemy, the day had aſſuredly been their own; but an unlucky Rumour being ſpread, that *John* was killed by one of his own Life-Guard, the Army e'er it had joyned all ran away, not in Bodies, but every man ſhifting for himſelf. Many periſhed in the Chaſe, and they who eſcaped were ſeized with ſuch a pannick fear, that they ran on for many days, none purſuing them, till recovering the places where they thought to ſecure themſelves, there, as it were, they hid their Heads, none of them having the leaſt thought of turning again, but expecting ſeverely to be Beſieged. *Totilas* treated his Priſoners with ſuch humanity, that they willingly entred into his Service againſt the *Romans*. And then ended the Winter, together with the ſeventh year of the War.

Totilas takes ſeveral places and Countries.

134. *Totilas* improving his opportunities, took in ſeveral places, and marching through *Tuſcany* into *Campania* and *Samnium*, eaſily made himſelf Maſter of the ſtrong Town of *Beneventam*, which he diſmantled. Then with the greateſt part of his Army he laid Siege to *Naples*, ſending out the reſt to take in *Cumæ*, and other places where he raiſed a great Sum of money. By his civility to the Wives of ſeveral Senatours, which he therein ſurprized, he got great Reputation, and having reduced *Bruttia*, *Lucania*, *Apulia* and *Calabria*, both ſeized on the publick Tributes, and private Rents, bearing himſelf as abſolute Lord of *Italy*. Hereby the *Roman* Army receiving no Pay, was driven into great Neceſſities, and the Emperour contracted a vaſt Debt; the *Italians* betwixt them both were haraſſed and diſcouraged, and the Souldiers grew diſobedient to their Officers, and were very glad to lie idle in Garriſons. *Conſtantianus* held *Ravenna*; *Rome*, *Spoletum*, *Florence* and *Peruſia* were Commanded by *John*, *Beſſas*, *Juſtinus* and *Cyprianus*, being the places they had fled to. The Emperour was extremely troubled to hear how matters went, and diſpatched away with a good Fleet, and a conſiderable Army, one *Maximinus* with the Title and Character of *Præfectus Prætorio* of *Italy*, the better to govern the Officers, and ſupply the Army. He being a man altogether unpractiſed in War, and beſides that a Coward, and of a ſlow Nature, loitered upon the Coaſts of *Epirus*; *Juſtinian* after him ſent *Demetrius* as his Lieutenant, who had formerly Commanded the Foot under *Beliſarius*. He hearing how *Naples* was diſtreſſed, had a great mind to relieve it; but having with him but inconſiderable Forces, he Laded a number of Ships in *Sicily*, with Corn and other Proviſions, hoping to fright the Enemy, who hearing of an huge Navy, expected a great Army to come along with it. Had he directly made for *Naples*, he had undoubtedly frighted away the Beſiegers and done his work, but being afraid to put in there, he Sailed on for the Port of *Rome*, to gather up Souldiers, who being lately beaten by the *Goths*, refuſed to follow him againſt *Totilas*, ſo that he muſt either ſtay where he was, or undertake the expedition of *Naples*, with thoſe few he had brought along with him. Chuſing the latter Courſe, when *Totilas* had notice of his coming, he manned out many ſwift Pinnaces, which falling on him on a ſudden, as he lay on the Coaſt near *Naples*, amazed and defeated all his Fleet, took all the Ships and men aboard them, except ſuch as at firſt leapt into the Cock-Boats, amongſt whom was *Demetrius* himſelf. *Maximinus* being fairly advanced as far as *Sicily*, ſate ſtill at *Syracuſe* afraid of the War. The Commanders in *Italy*, eſpecially *Conon* the Governour of *Naples*, importuned him to come to their Succour, but ſtill he wore out the time, till fearing the Emperour's high diſpleaſure, and wearied with the Scoffs and Revilings of all men; he reſolved to ſtay himſelf and ſave one, but ſend the Army to *Naples*, under the Command of others. Now was it the depth of Winter, and the Fleet coming near *Naples*, ſo great a Storm took them, that the Seamen could neither uſe their Oars, doe any other work, nor hear one another. Doe what they could, they were driven upon the ſhore where the Enemy

Demetrius and *Maximinus*, lately ſent by the Emperour, ſhamefully defeated.

Sect. I.

my lay incamped, who had ſo eaſie a game of it, that they ſunk Ships, and killed men as they pleaſed, without any reſiſtence. Some few eſcaped, the reſt were taken, together with *Demetrius* who was got aboard the Fleet.

135. Him did *Totilas* lead with a Rope about his Neck to the Town Wall, where he compelled him to perſwade the Citizens to yield, by telling them that no farther Succours they were to expect, and all their hopes had periſhed with the Navy. Hereat the beſieged being grievouſly diſmayed, *Totilas* took the opportunity to give them good words, and offered to *Conon* and his Souldiers all Indemnity, in caſe they would preſently ſurrender the City, with all ſecurity of Perſons and Eſtates to the Citizens themſelves. Being extremely preſt with Famine, they accepted the offer, and notwithſtanding they had capitulated for thirty days time, to expect Succours, wherein no Hoſtility was to be exerciſed, yet urged by their neceſſities, they received *Totilas* within a while into the City; and preſently after the Winter ended with the eighth year of the War. *Totilas* carried himſelf not at all like a Barbarian toward the *Neapolitans*; fearing leſt the languiſhing people ſhould by ſudden eating their fill ſurfeit themſelves, he ſet Guards at the Gates, and Port, commanding no man to go out, and with a provident care gave them Food, more ſparingly than their ravenous appetites required, adding thereunto inſenſibly every day, and increaſing their allowance. Having thus reſtored them to their former ſtrength, he ſet open the Gates, and let go as many as would. *Conon* and ſuch of his Souldiers as refuſed to ſtay he Shipped, giving them liberty to Sail whither they pleaſed, who ſhaming to go to *Conſtantinople*, were bound for *Rome*, but the Winds being croſs, and not able to get off, they feared he would break the Agreement and doe them miſchief. But he on the contrary taking notice of their misfortune called them to him, cheared them up, and the Wind not ſerving for a long time, furniſhed them with Horſes, Waggons and Proviſions, and gave them a Convoy of *Goths* to *Rome*. The greateſt part of the Walls of *Naples* he demoliſhed, being inclined rather to finiſh the War at once by Battel, than draw it out at length, (which muſt make it very uncertain and hazardous,) and be ever Skirmiſhing with Artifices and Strategems.

Naples ſurrendered to *Totilas*.

Who carries himſelf with much gallantry.

136. Either to get him a great name, or, as he himſelf affirmed to his Officers, being very ſenſible how much his Nation by their vitious living, had incurred the diſpleaſure of Almighty God, he puniſhed Vice with all ſeverity. One of his Guard, though a Valiant and otherwiſe deſerving man, and the Officers made great Interceſſion for him, having raviſhed the Daughter of a *Roman* of *Calabria*, he put to Death, and gave his Eſtate to the Woman he had abuſed. In the mean time, the *Roman* Army acted all things quite contrary, leaving no inſolence unpractiſed againſt the poor *Italians*. The Officers lived riotouſly with their Miſtreſſes in the Garriſons, having the Souldiers diſobedient and full of all ſorts of diſorders. The poor Countrey-man groaned under both the Armies; the *Goths* taking his Lands, and the *Romans* his Goods, by both he was beaten like a Slave, and his Meat eaten out of his mouth. *Conſtantianus* troubled hereat, wrote to *Juſtinian*, proteſting his diſability to wage War with the *Goths*; the Commanders ſigning the Letter, which was no other than a plain and open confeſſion of their fear and cowardiſe. *Totilas* having now his mind upon the City of *Rome*, thought fit firſt to trie whether by Letter he could procure the Senatours to joyn with him, upbrading them much with the ingratitude they had ſhewn to the Family and Nation of *Theodorich* and *Amalaſuntha*, and exaggerating the wrongs they had received from the *Greek* Emperours and their Armies. *John* forbad the Senatours to anſwer him; whereupon he privately conveyed other Papers into the City, no body knew how, but they were poſted up by Night in the moſt remarkable places, and diſcovered in the Morning. The *Arian* Prieſts were ſuſpected, and turned out of *Rome*. And *Totilas* perceiving that this Artifice would not take, reſolved no longer to uſe fair means, but ſending part of his Army into *Calabria* to take in *Otranto*, he himſelf with the reſt of the Forces, went againſt the Towns lying about *Rome*. The News much perplexed the Emperour, who though the *Perſian* War lay heavy upon him, found himſelf neceſſitated to call back *Beliſarius*, and ſend him the ſecond time into *Italy*; the Winter now ending with the ninth year of the *Gothick* War. Before we fetch him out of *Perſia*, its convenient to ſee what he did there, and how matters ſtood in the Eaſtern parts, ſince the time we left them at the Peace concluded with *Choſroes*.

And Juſtice.

Matters ſo bad in *Italy*, as conſtrain the Emperour to call *Beliſarius* out of *Perſia* to ſend him thither again.

Anno Juſtin. 18. *Chriſti.* 544.

137. After the Ratification of the Peace, the State of both Princes was endangered by ſeditious attempts; that of the Emperour by the Commotion of the Common ſort, called *Nica*, as we formerly ſhewed; and the other of the *Perſian*, by a Conſpiracy of certain

Redeundum ad hujus Sect. pag. 28.

Sect. 1.

certain of his Nobility, after this manner. *Chosroes* himself was a man of a perverse, unruly and turbulent Spirit, which made some of his stirring Subjects so weary of his Government, that they consulted how to make another King, out of the Family of *Cabades*. *Zames* the next Heir, being by the Laws excluded, because of a maim in one of his Eyes, they agreed to promote his Son, and that he as his Protectour, should manage publick Business. But *Chosroes* had the Plot revealed to him, and sent all the Conspiratours to another World, with all the Male issue of *Zames*, one onely excepted, *Cabades* by name, who being fostered by *Adergudunbades* the Generall, (whose Wife preserved him, notwithstanding the King's express Command he should be put to Death,) it cost the old man his Life, after that the King came to know of it, though he had done excellent Service, and subdued twelve Nations under the *Persian* Yoke. For his own Son revealed it, and, after his Father was treacherously Slain, as a reward succeeded him in his Office. *Cabades* being sent out of the way escaped, and either he or one that usurped his Name, came long after to *Constantinople*, and was, as the Grand-Child of that great King, honourably treated by *Justinian*. But the Emperour's affairs prospering in *Africk* under the conduct of *Belisarius*, *Chosroes* and his *Persians* were much vexed, repenting they had made a Peace, and thereby given liberty to the *Romans* so to increase their power. *Chosroes* by his Ambassadours in meriment, demanded his share of the *Vandal* spoils, as having by the peace been a great procurer of the Conquest. *Justinian* thought it fitting not to disoblige him by any harsh return, but sent him a considerable present in money.

A great Conspiracy against *Chosroes* defeated.

Procop. de bello Persico lib. 1.

138. The Peace was indeed very seasonable for the Emperour's affairs, and that in more respects than that of the *African* War or Conquest. For in the Eastern parts, not long after the Ratification, one *John* a Souldier of the Garrison of *Daras*, revolted and set up for himself, which Usurpation had certainly been very mischievous, had the enmity continued betwixt the *Persians* and *Romans*; but the Peace being made, *Chosroes* would not lay any new foundations of a Quarrel, by fomenting this Rebellion, and the Usurper was Slain, when he had enjoyed his precarious Dignity not many days. Yet though he took no advantage of this Sedition, and digested indifferently the Conquest of *Africk*, his Concoction being further helped by the late golden Cordial he had received from *Constantinople*, when he heard of the success of *Belisarius* in *Italy* also, the Conquest of that Countrey would not down; he could now hold no longer, but he must find some specious pretext or other to renew the War. He made use of *Alamundarus* the *Saracen*, who laid claim to a Countrey called *Strata*, situate to the South of *Palmyra*, bearing neither Trees nor Corn, but nourishing some flocks of Sheep. *Arethas* claiming the name, and the testimonies of the oldest men then living; *Alamundarus* refused to dispute about names, and alledged that the Inhabitants had anciently paid him Rent for Pasturage. Much time was spent in the Arbitration, during which *Chosroes* complained that *Justinian* had practised against his Crown, by indeavouring to gain from him *Alamundarus*, who had been importuned with offers of great Sums of money to revolt. He produced the Emperour's Letters written to *Alamundarus*, and affirmed that he had also written to the *Hunnes*, to invade the *Persian* Dominions, who had sent him the very Originals themselves. When upon these pretences, true or false, he resolved to break the Peace, he was thereto farther excited and incouraged by the Ambassadours of *Vitigis*, who, as we formerly hinted, hired two *Ligurian* Priests to undertake the Journey, and perswade the *Persian* that the day of the fall and ruine of the *Goths* would certainly be the Cave of his own Destruction. Not considering the interest of those that sent them, he resolved to take their advice, and give a stop to the Emperour's growing power, at whose Success and Conquests he every day more and more grudged; the *Armenians* and *Lazians* also stirring his gall, by discourses concerning the insufferable ambition of *Justinian*.

John the Usurper Slain.

Idem lib. 2.

Chosroes envying the success of *Belisarius* breaks the Peace.

Egged thereto by the message of *Vitigis*.

139. Some unlucky accidents also happened, which much exasperated the *Armenians* against him. One *Simeones*, who had delivered up *Pharangium* to the *Romans*, had begged of him some *Armenian* Villages in the heat of the War, and being not long after Slain, by such as formerly possessed them, the Emperour gave them to *Amazaspes* his Sisters Son, making him withall Governour of *Armenia*. Not long had he so continued, when one *Acacius* a follower of *Justinian* accused him of Confederacy and secret Intelligence with the *Persians*, and having by his directions treacherously Slain him, was made Governour in his place. He was a man of a most wicked and ravenous disposition, so harassing the *Armenians* by new Impositions, that not able to endure his Cruelty, they Conspired together and killed him, which done,

Stirs in *Armenia*.

done, they seized on *Pharangium*. The Emperour hearing the news, sends *Sittas* from *Constantinople* against them, and he makes a slow War, labouring by fair means to regain them; but for this being reproached by *Justinian* at the instigation of *Addaeus*, the Son of *Acacius*, he endeavoured to gain to his Party the *Apetiani*, a considerable People among them, the better to overcome the rest. Upon assurance of indemnity they agreed to join with him; but it happened that the Instruments of the Agreement being sent them, never came to their hands, and thereupon a jealousy arising on both sides, they prepared for battel, and the fight began very tumultuously by reason of the unevenness of the ground. He had rather the better, forcing his Enemies to retire; but being made known to them, and his Lance being accidentally broken, they bore back upon him, and slew him, being a man of a goodly presence, and scarcely inferiour to any Commander of his time. *Sittas* being dead, the Emperour sent *Bozes* to succeed him, and the *Armenians* seeing there was no hope of reconciliation, betook themselves to *Chosroes*, to whom in many words they aggravated the ambitious purposes of *Justinian*, who troubled, as they said, all the World with his Arms, and at the best onely reserved but the *Persian* Dominions for his last Morsel, when he should have devoured all the Western Countries. As incouragements, they told him, they had slain one of his two best Commanders: and as for the other, *Belisarius*, they were very confident he was so jealous of his Military Glory and Interest, that he would not employ him. He liked well both of their Propositions and Reasons, and having as strong an inclination himself to the breach of the Peace, it was resolved in Council to make war upon the *Romans* in the beginning of the Spring. This was towards the end of Autumn, and the thirteenth year of *Justinian*'s Reign, wherein happened the great Famine in *Italy* we formerly spoke of.

Sect. 1.

Sittas slain.

The *Armenians* betake themselves to *Chosroes*.

140. The *Romans* were surprized, not the least suspecting any breach of the Peace, hearing onely that *Chosroes* murmured against *Justinian*'s Successes in the West, and breathed out his discontent in the charges lately mentioned. Yet a Comet which appeared at this time in *Capricorn*, at first about the length of a tall man, afterward much longer, with its Tail turned toward the East, the Sun being then in *Sagittarius*, much amazed them. Immediately after a great Army of *Hunnes*, passing the River *Ister*, overrun all *Europe*, a thing sometimes done, but never with such mischief as now it happened. From the *Adriatick* Sea, which *Procopius* calls the *Ionian* Gulf, they wasted all Countries as far as *Constantinople*; and having never formerly attempted any walled Town, took thirty two Castles in *Illyrium*, and destroyed *Cassandria* (of which in Ancient times we have heard much under the name of *Potidæa*) which done, with one hundred and twenty thousand Captives, and much Booty, they retired home. Afterward they did much more mischief in several other Inroads. They forced their way over the Wall of the *Chersonesus*, slew many of the Inhabitants, and made Slaves of most of the rest. Some crossing the Strait betwixt *Sestus* and *Abidos*, wasted *Asia Minor*; others having spoiled *Illyricum* and *Thessaly*, assaulted the Wall at *Thermopylæ*, where the Garrison stoutly demeaned it self, but they unluckily found the path up the Mountain, and entring *Greece*, wasted all except *Peloponnesus*, and so retired. Not long after, the *Persians* breaking the Peace, openly infested the *Roman* Territories, at such time as *Belisarius* had subdued *Vitigis*, and brought him to *Constantinople*. Before the Invasion, *Justinian* perceiving *Chosroes* to quarrel, and be much out of humour, sent a kind of Remonstrance to him by one *Anastasius*, a prudent man, who had suppressed the Rebellion at *Daras*. Herein he answered the things laid to his charge, complained of *Alamundarus* his forraging the *Roman* Territories, and with much seriousness laid before him the great inconveniences which follow sudden and rash resolutions in point of War. *Chosroes* answered not a word, neither yet would he dismiss the Messenger.

A Comet.

The *Hunnes* overrun *Europe*.

The *Persians* break the Peace.

Justinian writes to *Chosroes*,

141. But towards the end of Winter, and of the thirteenth year of *Justinian*'s Reign, (for he was declared Emperour, together with his Uncle, the third day before *Easter*) he entred the *Roman* Territories with a great Army, holding on his course toward *Syria* and *Cilicia*, till he arrived at the City of the *Surenians* upon *Euphrates*. This Town, notwithstanding his faith given to the Bishop thereof for their indemnity, he most cruelly burnt to the ground; having killed most of the men, and made all the rest Slaves, because they had not yielded at the first summons, and for a terrour to others. Yet either out of covetousness, or for the love he bore to *Euphemia*, whom being one of these Captives, and very beautifull he made his Wife, and infinitely doted on her, he yielded that upon security given for two Centenaries of Gold by *Candidus*, Bishop of *Sergiopolis*, those that remained, to the number of twelve thousand, should be set at liberty; although his mercies were so cruel,

Who invades the *Roman* Territories with a great Army.

Sect. 1.

so cruel, or his kindness so empty and barren, that the greatest part of them perished through the effects of those miseries they had already undergone. Now in a braving manner did he send away *Anastasius*, willing him to declare to *Justinian* in what part of the World he left *Chosroes*, the Son of *Cabades*; and then marcht he forward. *Buzes*, who commanded all the East in the absence of *Belisarius*, understanding what had happened to the *Surenians*, seemed to buckle himself to a strenuous resistence, and gave good Council to the Inhabitants of *Hierapolis*, that in case of a siege, they should neither with their few numbers ingage the whole *Persian* Army, nor yet keep all their men in the Town, but guarding the City with a sufficient number, lodge the rest near at hand at the bottom of the Mountains, whence by their frequent Onsets, both upon the Enemies Camp and Foragers, they might either force him to raise his Siege, or make his Assaults uneasie, and cut off from him all sorts of Provisions. This Council he gave, but meant never to practise any thing himself, going away speedily with the choicest part of the Army, no man, either Friend or Foe, knew whither, nor what was become of him. *Justinian* hearing of the Invasion, sent away *Germanus* his Brother's Son in much haste with three hundred men, and a promise that a great Army should suddenly follow.

Buzes runs away.

Germanus sent into the East.

142. *Germanus* being come to *Antioch*, first applied himself to fortify the City, but perceiving his attempt to be vain for want of time, and that to begin, and not perfect, would but shew the Enemy which way to commence the War, he desisted from this enterprise; and when both he and the *Antiochians* considered that the promised Army came not from the Emperour, and that in all probability *Chosroes* would make for that City, they resolved in Council to buy him off with money. To negotiate the business with him, they chose *Megas*, Bishop of *Berrhœa*, a prudent man, who could not with all his wise Reasons charm the rude and unquiet humour of the King, but at last brought him to these Terms, that for ten Centenaries of Gold he should quit all the Eastern Provinces. But before the Bishop could fetch the Ratifications, he wrested 2000 *li.* weight of Silver from those of *Hierapolis* to save their City, and refused to accept of less than twice as much from the *Berrhœans*, because their Walls were much weaker. They offered him the 2000 *li.* but as for more, they protested they could not pay him; and when he pressed upon their City, they relinquished it, and fled by night to the Castle, where being but one Spring, and that drank up by the Cattle, they presently found themselves in a lamentable estate. *Megas* could not with all his Rhetorick persuade the *Antiochians* to the Agreement he had made with *Chosroes*, being kept off by *Julian*, the Emperour's Secretary, who was sent Ambassadour to *Chosroes*, together with *John*, the Son of *Rufinus*, and forbad them expresly to give money to the Enemy, or sell the Emperour's Towns. *Megas* returning to *Chosroes* was much afflicted, finding him so closely besieging his own Fellow-citizens; for they were reduced to the utmost extremity, the *Persian* Army having entred, and seized the Town. He expostulated with him about his perfidious dealing in such terms, and used such arguments, cries, and intreaties, that assuring him they had no more money than the sum they had offered, he procured the liberty of those poor men. According to the Faith he had given them, they were suffered to goe whither they pleased, and amongst them some of the Souldiers. But the greatest part of these revolted to *Chosroes*, complaining of the sad condition they were in, being behind in their pay for many years, and went with him afterward into *Persia*.

Chosroes gets much money from the *Roman* Towns.

About 31500 *li.* sterl.

143. *Chosroes* perceiving from *Megas* that the *Antiochians* would part with no money, marcht thitherward, and encamping near the River *Orontes*, sent to demand the ten Centenaries of Gold, which if he should receive, he seemed willing to pack up, and be gone. Thither went the Ambassadours, betwixt whom and him passed much discourse and expostulation to no purpose. The common and light sort of People of *Antioch* from the Walls flouted and derided him, and almost had stoned his Interpreter, wherewith inraged, he resolved presently to give an Assault. The Wall being weakest at the top of the Hill, and the Places where the Besieged were to fight being narrow, they tied long Beams together between the Turrets, and inlarged the standings for more men to oppose the Assailants. The great breadth and height of the Rock commanded the Wall, and caused the Fight to be equal, as upon even ground, and here lay the disadvantage of the *Romans*. Yet had they put out but three hundred men, possest the Rock first, and kept off the Enemy, in all probability the Town had not been indangered, the Barbarians having no means to assault, being beaten perpendicularly both from the Rock and Walls. But this being neglected, and consequently the defence very difficult, and the service hot at the Rock; when the *Romans* pressed up to make resistence, the Ropes which tied the

Besieges *Antioch.*

Sect. 1.

The Beams suddenly broke, and down they all fell. They who made good the Turrets, hearing the noise, imagined that the Wall was broken down, and ran away. Then did the old Souldiers take their Horses, and rode to the Gate, giving out they were to receive *Buzes* and his Army. Thither ran also the *Antiochians*, Men, Women and Children, and pressing out altogether, the Souldiers bore them down, and many were killed in the crowd. The *Persians* set to their scaling Ladders, and mounted without any opposition, which made them fear some stratageme, and take care how they descended through the Rocks and Precipices from the Hill. *Chosroes* esteeming all things less than the taking of the City, gave the Souldiers fair leisure to run, the *Persians* pointing at them with their hands, and bidding them haste and get away. When they saw them and their Commanders got out at the Gate of *Daphne*, they fairly descended into the midst of the City.

The Defendants ill manage their matters.

144. Here at first they were encountred by some rash young men, who laying at them with stones, and forcing them to change their place a little, seemed to themselves to have the better, sung their *Pæan*, and cried *Justinianus Callinicus*, as if indeed they had got the victory. In the mean time *Chosroes* sitting upon a Turret by the top of the Hill, sent for the Ambassadours to come to him, which being taken notice of by *Zaberganes*, one of his Commanders, he fearing a composition would be the product of a Conference, came to him, shewed him the present estate of the *Antiochians*, and dissuaded him from yielding to those who were already conquered, and had nothing but fury and desperation to bear them up. *Chosroes* apt enough to be perswaded, sent some of his best men against them, but news was presently brought that the work was done, and the *Persians* were Victours, who so far improved the Victory, as neither to spare Sex nor Age. All sorts of misery fell upon the poor Inhabitants, the *Persian* King shedding Crocodiles Tears, and pretending to be moved with pity and commiseration, though he was the most false, perfidious and sordid man alive. He commanded his men to make Slaves of such *Antiochians* as survived, and to take the spoil of the Town. He himself took out of the Church a vast Treasure of Gold and Silver, caused many admirable pieces of Marble to be taken down, to be transported into *Persia*, and then gave order to burn the City, the Church being preserved through the great instance and importunity of the Ambassadours. But not onely did they burn the whole City, (the Cathedral excepted, with some Houses that stood towards a Corner, and joined not to other Buildings) but what was without the Walls, except the Church of St. *Julian*, and the Houses about it, where the Ambassadours lodged, besides the City Walls they wholly forbore. And thus perished the greatest, the fairest, the most populous, the richest and happiest *Roman* City in the East, (whose beauty and magnificence appeared even in its very Ruins) by the most impious of all men living, which thing much startled *Procopius* the Historian, though at last he resolves all into the Equity and Justice of Divine Providence.

The City taken.

And burnt.

145. The Ambassadours, as they had reason, touched with a sense of so sad a spectacle, could not forbear to lay before him his perfidious dealing, to which he answered, and alledged some things specious, and some things palpably false, to lay the load upon *Justinian*. After many Recriminations and Arguments, it was accorded that the *Romans* should pay to him fifty Centenaries of Gold, and a perpetual yearly payment of five more, not in way of Tribute, but for guarding the *Caspian* Gates, and quitting all pretences to *Daras*, and this colour *Chosroes* himself would put upon it. Hereupon no more Acts of hostility were to be committed, but receiving hostages for performance he was to depart speedily into his own Countrey, whither other Ambassadours should be sent by the Emperour to treat and settle a lasting Peace. He accordingly retreated, but notwithstanding the Truce, yet robbed several Cities in his march, wresting from that of *Apamea*, which offered him 1000 weight of Silver, ten times as much, even all their Treasures of Gold and Silver, which were very great; and from the poor City of *Chalcis* (distant ten miles and a half from *Berrhœa*) two Centenaries of Gold. Neither was he minded to return the same way he came, but to cross *Euphrates*, and rifle *Mesopotamia* in his passage. Having crossed the River near *Obbane*, he was very ambitious to become Master of *Edessa*, induced by a confident Tradition, then amongst Christians, that it was never to be taken, by reason of a certain Letter which our Saviour *Christ* was said to have written to *Agbarus*, at that time Toparch of the Countrey, whereby he promised amongst other things, that this City should never be conquered by Barbarians. The Epistle, if we may believe *Procopius*, they ingraved upon their Gates for a defence; and when *Chosroes* had lodged his Army three miles off, and by break of day marched towards *Edessa*, they went out of their way so far, that the

An agreement.

157500 *li.*

15720 *li. Sterl.*

Chosroes robs Cities in his Retreat.

Sect. 1. next night they lodged in the same place, and this happened twice unto them. At length, when with much adoe he had got to the Town, his Chops, as it was reported, swelled with Rheum, which so much astonished him, that he resolved not to attempt the Place; but he sent his Interpreter, and demanded money of them. They sent him word, that of their City they had no fear; but to prevent the wasting of their Towns and Villages, they would give him two Centenaries of Gold, which he received, and in this matter kept the Agreement.

146. Now came Letters from *Justinian* agreeing to ratify the Treaty between him and the Ambassadours, whereupon he discharged the Hostages, and prepared for his Retreat. He condescended that the *Antiochian* Captives should be ransomed, and the Citizens of *Edessa*, to their great commendation, offered whatever they had toward so pious a work; but the Design was crossed by *Buzes*, who expected to raise some profit out of it. But *Chosroes*, notwithstanding the Emperour's Letters, and his full Agreement, yet could not forbear pilling the Countrey in his passage; and being come to *Daras*, he fairly laid siege to it. He sprung a mine, and had undoubtedly taken it, but that the thing was discovered seasonably by a man (or more than a man, saith the Historian) who coming from the *Persian* Camp, seemed to gather up the scattered Arrows, and warding with his Shield, as if he jeered those upon the Battlements, told them where their danger lay, and bad them carefully provide for their safety. Then did the Besieged by a cross Mine defeat the purpose of their Enemies, which *Chosroes* perceiving, and seeing there was no hope of taking the Town, capitulated for a thousand pound weight of Silver, and went his way. *Justinian*, by this attempt upon *Daras*, protested that the Peace was broken, and refused to stand to the Ratification. *Chosroes* in *Assyria*, a days journey from *Ctesiphon*, built a City, wherein he bestowed the *Antiochian* Captives, and called it *Antioch of Chosroes*. He maintained them at the publick charge, not like Captives; gave them the name of *Basilici*, as exempt from the jurisdiction of all Magistrates, except the King; built them a publick Bath, a Cirque, and furnished them with other delights, bringing from *Antioch* and the neighbouring *Roman* Cities Chariotiers and skilfull Musicians. If a *Roman* Captive fled hither, and was challenged for a Kinsman by any of the Inhabitants, he might not be taken thence by his Master, of what quality soever he was. At this time *Belisarius* received orders to return to *Constantinople*, where having wintred, at the beginning of the Spring he was sent General against *Chosroes*, with the Officers that accompanied him out of *Italy*. Of his *Gothick* Prisoners *Vitigis* staid at *Constantinople*; the rest served with him against the *Persians*, and to what purpose we shall shortly see.

Justinian protested the Peace to be broken.

Chosroes builds a City call'd *Antioch* of *Chosroes*.

147. Whilst *Belisarius* made haste to prevent any new Invasion of *Chosroes*, he in the mean time led an Army into *Lazica*, being invited by the Inhabitants upon this occasion. The *Lazians*, who first dwelt in *Cholchis*, were subject to the *Romans*; not to payment of Tribute; but when their King died, the *Roman* Emperour was wont to send to his Successour Ensigns of Majesty. They guarded the Marches of the Countrey, and hindred the *Hunnes*, their Neighbours, from invading the *Roman* Territories; receiving for this no money, nor Souldiers; nor serving in the Emperour's Wars, onely they traded with his Subjects of *Pontus*, bartring their Native Commodities, as Skins, Hides and Slaves, for Corn, Salt, and other things which their Countrey wanted. But upon account of *Gurgeres* King of *Iberia*, there being some *Roman* Forces lodged in *Lazica*, they were very unruly, and *Peter* their General was so rapacious, as very much discontented the People. This was in the time of *Justin*; and when *Justinian* came to the Government, he sent several Commanders into *Lazica*, and at last *John Tribus*, a man raised from mean condition, and advanced to this Command onely for being the wickedest of all men, and a most fit person, by right or wrong, to raise Money. He persuaded the Emperour to build a Town upon the Sea, which was called *Petra*, wherein he Lorded it, and tyrannised over all the Countrey; for he prohibited Merchants to import Salt, or any other Wares to the *Lazians*, setting up a Monopoly, and selling to the People at what rates he listed. Upon this account, and by reason of the unusual burthen lying upon them from the *Roman* Army, they were much discontented, and at last resolved not to endure it, but revolt unto the *Persians*. There was no need of using many Arguments to *Chosroes*, to accept the protection of them, though their Ambassadours insisted upon the convenience he would have of infesting the *Roman* Territories by Sea; the onely difficulty lay in the unpassableness of the Countrey. But they told him, that by cutting down Trees, and casting them into the ill Places, the way might be made easie enough for his Forces to march, and they themselves promised to be his Guides, and to work in the head of the Army.

The *Lazians* revolt to *Chosroes*.

148. Char-

148. Charging then the Ambassadours not to make known their Negotiation, he gathered together a great Army, not revealing his Intent to any but his most inward Counsellours, and pretending a Journey into *Iberia*, where a Nation of *Hunnes* was reported to invade the *Persian* Confines. And he had this advantage by his secrecy, that the Spies which *Belisarius* sent into *Persia* assured him there would be no invasion of the *Roman* Territories, the King being ingaged in a War with the *Hunnes*. But *Belisarius*, believing there would be no invasion by *Chosroes*, resolved to take the advantage which the pretended *Hunnish* War would afford him, and to enter *Persia* with a consíderable Army. All his Officers concurred with him, onely *Reguithancus* and *Theoctistus*, Commanders of the Forces in *Phœnicia Libani*, though they approved of the Invasion, yet feared in their absence that *Alamundarus* the *Saracen*, would forrage *Phœnicia* and *Syria*, and that the Emperour might be offended with them for neglecting their charge. Hereupon they hung back, and refused to join in the Expedition; but *Belisarius* told them, they imagined that which would not be; for in Summer, for two months of that Season, the *Saracens* intended Religion, onely busied themselves in the Service of their God, and made no Inroads; but in case there should be occasion, he promised to dismiss them and their Troops within two months, and commanded them to march along with him.

Sect. 1.

Chosroes comes into *Lazica*.

Chosroes by this time taking that course the Ambassadours had directed him, passed through *Lazica* without interruption, and came into the middle of the Countrey, where the Poets feign the Story of *Jason* and *Medea* to have been acted. Here *Gubazes*, King of the *Lazians*, came and adored him as his Liege Lord, furrendring, together with himself, his Royal Palaces, and the whole Countrey into his hands, except *Petra*, which *John Tzibus* held with a *Roman* Garrison. *Chosroes* sent a Party under command of *Aniavedes*, to surprize this Town, but by a Strategem of *John*, who unexpectedly issued out upon him, when he thought there had not been a Souldier in the Town, so silent they were, he was beaten back; at which the King inraged, some say, crucified *Aniavedes*, then with his whole Army he begirt the Town, and after *John* was killed with a shot, by a Mine made the narrow entrance into the City passable, and the *Romans* affrighted, yielded upon composition for their Lives and Estates. *Chosroes* finding in *Petra* much Wealth belonging to *John*, was, contrary to his wonted humour, therewith satisfied; and not suffering the Goods of the *Romans* to be toucht, permitted them to live and mingle with the *Persian* Army.

Takes *Petra*.

Belisarius faceth *Nisibis*.

149. *Belisarius* hearing nothing of these Matters, marched with his Army towards *Nisibis*, which he faced and skirmished with a Party that sallied out against him. The *Persians* slew fifty of the *Romans*, and took the Ensign of *Peter*, General of *Armenia*, who had a particular Post assigned him; but *Belisarius* coming in to his relief, beat them back within their Walls, killing one hundred and ten of them; and though they set up the Ensign as a Trophy on their Walls, and braved the Enemy, yet durst they sally no more out of their Fortifications. Having no hope to take *Nisibis*, he marcht on to a Fort called *Sisibranum*, full of Inhabitants, besides eight hundred of the choicest *Persian* Horse, commanded by *Blechames*, a Person of great quality. But having not laid in any Provisions, they were prevailed with by promises and fair words to yield. The Inhabitants being Christians, and anciently *Romans*, the General treated with all fairness and civility; the *Persians*, with *Blechames*, he sent to the Emperour, who caused them to be transported into *Italy* against the *Goths*. E'er this Castle was taken and demolished, he considered there was no marching any farther; and resolved to send *Arethas* with his *Saracens*, being men unfit for Assaults, but excellent Plunderers, with some of his best Souldiers commanded by *John* and *Trajan*, to enter and haras *Assyria*. They passed the River *Tigris*, and finding good Pillage, ransackt many Towns, and got great Wealth, of which *Arethas* fearing he might be deprived by the *Romans*, refused to return to the Camp, as he had been ordered, and causing a report to be spread of a great Army at hand, at the Rivers side, advised *John* and *Trajan* to return some other way into the *Roman* Territories. The Army of *Belisarius* hearing nothing of these Forces, were distracted in their thoughts. The Heats were so great, that the Souldiers, especially those of *Thrace*, could not endure them, stirring much, and lying in close Cabbins, so that a third part of them lay half dead of Fevers. All earnestly desired to return, and *Reguithancus* and *Theoctistus* now alledged, that the consecrated Time of the *Saracens* being at an end, the Towns of *Libanus* and *Syria* would become a prey to *Alamundarus*. It was resolved therefore in a Council of War to make a speedy retreat. *Chosroes* in the mean time having taken *Petra*, had the news of *Belisarius* his Invasion, and what *Arethas* had done beyond *Tigris*. Leaving there-

Takes *Sisibranum*.

He and *Chosroes* both retreat.

Sect. I. fore a Garriſon in *Petra*, he marched back into *Perſia*, with the reſt of his Army, his Priſoners and booty. *Beliſarius* was ſent for by the Emperour to *Conſtantinople*, and there ſpent the Winter.

In Spring *Chſroes* makes a third Invaſion.

150. In the beginning of the Spring, *Choſroes* invaded the *Roman* Territories the third time with a great Army. *Candidus* Biſhop of *Sergiopolis*, having not kept his word with him, he Impriſoned and tortured, whereby he procured much Treaſure out of the Church, but beſieged the City to no purpoſe. Being come into *Comagena* (or *Euphrateſia*,) he neither foraged the Countrey, nor took Towns as formerly, but reſolved to make a farther Journey, and paſs directly for *Paleſtine*; for, hearing this Province was very fertile and well Inhabited, he longed to take the ſpoils thereof, and eſpecially of the Treaſures of *Jeruſalem*. The *Romans* in his paſſage made no reſiſtence, thinking it ſufficient that they ſecured themſelves in their Garriſons. *Juſtinian* hearing of the Invaſion, again ſent away *Beliſarius*, who paſſed by Poſt with great ſpeed into *Comagena*. *Juſtus* the Emperour's Brother's Son, with *Buzes* and ſome other Officers were got into *Hierapolis*, and ſent for *Beliſarius* to come to them; but he liked not their advice, and went to *Europus* a Town Situate upon *Euphrates*, where he fell to levying of an Army, and called the Officers away from *Hierapolis*. *Choſroes* hearing he was come hither, marcht no farther but diſpatcht *Abandanes* one of his Secretaries to him to complain that the Emperour had not ſent his Ambaſſadours to ratify the Treaty. *Beliſarius* having notice of his coming, choſe out ſix thouſand of the goodlieſt of his men, as if he would ſend them out to hunt. He ordered *Diogenes* one of his Lanciers, and *Adolius* the Son of *Acacius* an *Armenian*, and one of thoſe Officers near about the Emperour, which the *Romans* called *Silentiarii*, being alſo at preſent Captain of the Forces in *Armenia*, to skirt along the ſhore of *Euphrates*, and at times to make ſhew of paſſing the River and invading the Countrey. He himſelf when the Ambaſſadour was at hand, retired to his Pavilion made with Boards according to the cuſtome, that he might ſeem to be in a poor Town without Proviſions. On the one ſide of the Pavilion ſtood the *Thracians* and *Illyrians*, behind them the *Goths*, next the *Herulians*, and then the *Vandals* and *Moors*. They took up much ground, not ſtanding ſtill but walking at a diſtance, and lookt careleſly and confidently upon the Ambaſſadour. None had his Mantle on, but Linen Coats like Women girt about them, holding in their hands an Horſemans whip. For Arms, ſome had Swords, ſome Battle Axes, others Bows onely, looking like Hunters that gave the chaſe to wild Beaſts.

151. The Ambaſſadour coming to Audience, ſaid it was a foul Indignity, that *Cæſar* (ſo the *Perſians* called the Emperour,) had not ſent Ambaſſadours about the Articles, and that thereby his Maſter was conſtrained to enter the *Roman* Territories in an hoſtile manner. *Beliſarius* with a ſmiling countenance, and a look altogether void of trouble or fear, anſwered that *Choſroes* made War quite after another manner, than other Princes uſed, who firſt were wont to demand their right, and if they were refuſed, then betook themſelves to Arms; whereas he being firſt entred into the Bowels of the Empire, did not ſhame to talk of Peace; and with this he diſmiſſed the Ambaſſadour. *Abandanes* returning, perſwaded his Maſter to lay down his Arms and be quiet, for he had light upon a Captain, the ſtouteſt and the wiſeſt in the World, and upon ſuch Souldiers, as eye never beheld the like, whoſe order and demeanour he could never ſufficiently admire. Beſides he told him, the match betwixt them was very unequal; for if he overcame, he ſhould but vanquiſh a Slave of *Cæſar*'s, but ſhould he be defeated, he ſhould get infinite diſhonour to himſelf and his Houſe. If the *Romans* ſhould be beaten, they might eſcape into their Fortreſſes, being in their own Countrey; but if his Army ſhould be worſted, not one would eſcape to carry the News into *Perſia*. *Choſroes* moved by theſe reaſons, had a mind to go home, but march back again through the Wilderneſs he could not, his Proviſions failing: he knew the paſſages of the River to be Guarded, but in concluſion thought it beſt, though with hazarding of a Battel, to get over the River, and to make his Retreat through a plentifull Countrey.

Beliſarius by his cunning, cauſes *Chſroes* to retreat.

152. *Beliſarius* knew well that one hundred thouſand men could not ſtop his paſſage, much leſs could he doe any thing effectually with his ſmall Numbers. Now he concluded it better policy, to make him a Bridge than to hinder his Deſign, and therefore fearing that *Diogenes* and *Adolius* might interrupt his quitting the *Roman* Territories, he ſent them orders to forbear, and ſo *Choſroes* ſpeedily making a Bridge, paſſed with his Army over the *Euphrates*. This was done with much eaſe, for the *Perſians* had ever ready in their marches great Iron hooks, wherewith faſtning long Timber together, they could make a Bridge with great Expedition. Being got on the

the other ſide, he ſent to tell *Beliſarius* that he had gratified the *Romans* by his Retreat, but he expected Ambaſſadours from them immediately. *Beliſarius* alſo went over the River, and ſent to *Choſroes* to commend his Reſolution of Retreating; he promiſed that Ambaſſadours ſhould ſpeedily be diſpatched after him from the Emperour to finiſh the Articles accorded, and he deſired him that in his paſſage, he would treat no otherwiſe than as friends the *Roman* Subjects. This he promiſed, on condition he might have ſome Principal man for Hoſtage, and accordingly *Beliſarius* ſent him from *Edeſſa*, *John* the Son of *Baſilius*, though ſore againſt his mind, being the chief man of that City, both in reſpect of Birth and Fortune. But e'er the Hoſtage could reach him, he neglected the agreement, and in his way not able to bridle his humour took *Callinicum*, wherein were none to defend it. For their Walls being juſt at this time in mending, and therefore part of them down, upon report of his approach, the wealthier ſort carried out their goods, and retired to other ſtrong places. The reſt with many Peaſants that flocked thither continuing in the Town without any Garriſon, he made Slaves, and laid the City even with the ground. Shortly after receiving *John* the Hoſtage, he retired into his own Countrey. The *Armenians* who had revolted to *Choſroes*, took aſſurances from the *Romans*, and with *Baſſaces* went to *Conſtantinople*. Thither alſo was *Beliſarius* ſent for, being, and that worthily, highly admired and extolled by all men; for, this action of ſending away *Choſroes* ſeemed to ſurpaſs his Triumphs, over both *Vtigis* and *Gelimer*. Certainly it was a matter of great moment, when the *Romans* were terrified and hid in their ſtrong holds, and *Choſroes* with an huge Army was in the midſt of their Countrey, for a General, coming Poſt from *Conſtantinople*, to incamp with a few in the very face of the Enemy, to ſtop his paſſage, and then either frighting him with his good Fortune and Valour, or deceiving him by Art, to make him in effect run away, and really to deſire and exchange Peace for War, after a tedious and fruitleſs expedition. This his proſperity, which ſeemed hitherto conſtant and unmatchable, the Emperour reſolved farther to try in the War of *Italy*, where things at this time went very ill, upon what occaſion we ſhewed e'er our pen left the Hiſtory of that Countrey. Though his fortune now began to change, and ſhew the fickleneſs of her own nature, with the lubricity of all humane greatneſs and excellency, yet having followed him in his proſperous Eſtate, we ſhall not leave the conduct of ſo great a Captain, in his adverſe Condition, but accompany him into that Countrey, and leave *Choſroes* a while to ruminate upon his late great Atcheivement. But here in our Journey we had like to have been prevented by a ſad accident, which being more deſtructive than War it ſelf, had almoſt effected a Peace by taking away the Perſons, and conſequently the quarrels of both parties.

Sect. I.

The King takes *Callinicum* in his paſſage, and demoliſheth it.

Beliſarius deſervedly admired.

153. This was a Plague which almoſt conſumed Mankind, of which *Procopius* concludes there was no other cauſe, than the immediate hand of God himſelf. For it neither came upon one part of the World alone, nor in one ſeaſon of the year, whence ſubtile wits (as he ſaith) might fetch pretenſions. It afflicted the whole World and all Conditions of men, though of never ſo contrary a nature and diſpoſition, ſparing no Conſtitution nor Age. The difference of men as to their places of Dwelling, Diets, Complexions, Inclinations or any other thing did no good in this Diſeaſe. Some it took in Summer, ſome in Winter, and others in other ſeaſons. It began amongſt the *Ægyptians* of *Peluſium*, and ſpred to *Alexandria* with the reſt of *Ægypt* one way, and the other to thoſe parts of *Paleſtine* which border upon *Ægypt*. From thence it travelled to the utmoſt bound of the world, as by ſet Journies and Stages, making deſtruction its onely buſineſs, and ſparing neither Iſland, Cave, nor top of Mountain where mankind inhabited; for if it leapt over a Countrey, returning afterward, it left it no cauſe to rejoyce aboveits fellows. It began ſtill at the Sea Coaſt, and thence went to the inland parts. In the ſecond year of its Progreſs, it arrived at *Conſtantinople* about the middle of the Spring, where it was the fortune of *Procopius* then to reſide. Apparitions of Spirits in all ſhapes humane were ſeen by many, who thought the man they met, ſtruck them in ſome part of the Body, and ſo ſoon as they ſaw the Spirit, they were ſeized with the Diſeaſe. At firſt when they met them, they repeated Divine Names, and fled into Churches to no purpoſe. Afterwards they were afraid to hear their friends call them, locking themſelves up in their Chambers and ſtopping their Ears. Some dreamed they ſaw ſuch fights, others heard a Voice tell them, they were inrolled in the Number appointed to die. But moſt without warning became feveriſh ſuddenly. Their Bodies changed not colour, nor were hot, the Fever being ſo remiſs till Evening, that neither the Patient nor Phyſician, by his Pulſe could apprehend

A dreadfull Plague.

Sect. 1. prehend any danger. Yet to some the same day, to others the next or many after, arose a Bubo both in the Groin, the Armeholes, under the Ear and in other parts. Those were the general symptomes which happened alike to all the visited Persons.

154. There were others different, whether so made by the diversity of Bodies, or the will and pleasure of him that sent the Distemper, our Authour cannot say. Some were seized with Drowsiness and Slumbring, others with a sharp distraction. The Slumberers forgot all things, if they were lookt to, some would eat, some that were neglected starved to death. Those that were distracted were vexed with Apparitions, crying out there were men to kill them, and running away, being so troublesome and unruly, that their Keepers were pitied as much as they themselves. No Physician or other caught the Disease by touching sick or dead Bodies; many strangely continuing free, though they tended and buried infected Persons, and many catching it they knew not how, and dying instantly. Many leapt into the Water, though not for thirst; and many into the Sea. Some without slumbring or madness had their Bubo gangreen'd, and died with extreme pain, which doubtless happened also to those that had the Phrensie, though being not themselves they understood it not. Some Physicians hereupon conceiving the venome and head of the Disease, to lie in those Plague sores, opened the dead bodies, and searching the Sores, found an huge Carbuncle growing inward. Such whose bodies were spotted with black Pimples the bigness of a Lentile lived not a day. Many died of vomiting Bloud. Some that were given over by the most eminent Physicians, unexpectedly recovered, others, of whose recovery they thought themselves secure, suddenly perished. No cause of this sickness could be reached by man's reason. Some received benefit by Bathing, and others it hurt. Many died for want of Cure, and many escaped without it; in a word, no way could there be found of preservation, either by preventing the sickness, or mastering the Disease, no cause appearing either of their falling sick, or of their recovery.

155. Women with Child which were visited, certainly died, some miscarrying, some fairly delivered, and perishing with their Children; three Women onely were safely brought to Bed and recovered, their Children dying, and one died whose Child had the hap to live. Such as had their Sore great and running plentifully escaped; the violence of the Carbuncle being thereby asswaged, and this was the most certain sign of health. Such whose Sores staid as they first arose, underwent the miserable Accidents formerly mentioned. Some had their Thighs withered, when the Sores rose upon them and did not run. Some escaped with diminished Tongues, and lived stammering or uttering sounds without distinction all their days. In *Constantinople* this Pestilence lasted four months, raging three months with all extremity. In the beginning few died more than usual. Then it growing hotter and hotter, it came to five, and at last to ten thousand and more every day. At first they buried their Dead carefully, but at length all came to Confusion, and many lay long unburied. Servants were without Masters, Rich men had none to attend them. In the afflicted City was little to be seen, but empty Houses, no Trade going, nor Shops open. The Emperour was much concerned as he had reason, and committed the oversight of the poor to *Theodorus*, one of the *Referendarii* that subscribed the Emperour's answers to Petitions, who to those that were in want distributed money out of the Treasury. To these passages *Procopius* adds, that many out of fear left their bad courses of Life, and consecrated themselves to God; and many when the danger was over, fell to their old despising of God again, and so he ends the description of this Pestilence, which though it continued but four months at *Constantinople*, yet *Euagrius*, who both himself and his Family was visited with it, tells us, it lasted the space of two and fifty years, prevailing so much, that it destroyed in a manner the whole World. Seeing then that it outlived *Procopius*, no wonder if in so long a time, and so various Climates and Countries, it changed its Symptomes, and varied something from those accidents which fell out in his days. Yet the description of *Euagrius* differs very little from that of his. He affirms that in some things, it resembled the Plague of *Athens*, described by *Thucydides*, and in other respects was far unlike it. That it began in *Æthiopia* as the other did, but exceeded all that ever were before it, and considering how long a time it raged, and flitted up and down, he admires that *Philostratus* should wonder at the Plague which happened in his time, because it continued fifteen years together. But whereas the History of *Procopius* was sufficiently known to the World, and particularly to *Euagrius* himself, who has taken, as all learned men know, much out of it, its a greater wonder he should say, that the History of this Plague

Vide Euagr. Hist. lib. 4. c. 28.

Plague was not penned till the time that he undertook it; for we cannot in the least imagine but it was the self-same Plague they both speak of. Never any Plague was so like it, as that dreadfull one in the time of our *Edward* the Third. It began, as may be gathered from *Procopius*, not in the tenth, as some have written, but about the eighteenth year of *Justinian*'s Reign, the third after the Consulship of *Basilius*, the third of *Totilas*, the DXLIV. of our Lord, and the ninth of the *Gothick* War in *Italy*, to which we must, after this digression, now return. Sect. 1.

Belisarius sent again into *Italy*.

156. *Belisarius* being designed to give a check to the Arms of valiant and prosperous *Totilas*, levied with his own Money Volunteers in *Thrace*, and in conjunction with *Vitalius*, General of *Illyrium*, raising about four thousand men, came to *Salonæ*, determining to go to *Ravenna*, and thence raise the Siege, for the Enemy lying in *Campania* and *Calabria*, there was no landing near *Rome* either with secrecy or security. He reinforced the Garrison of *Otranto* by fresh men well supplied, taking out the old, who were half starved. In the mean time *Totilas* took *Tibur*, and put all the Townsmen to the Sword, together with their Bishop, the manner of whose death, *Procopius* tells us, he would conceal, lest he should leave to Posterity Monuments of Inhumanity. But the *Goths* being now Masters of this City, which was situate fifteen miles above *Rome*, and commanded the River, the *Romans* could not import any more Provisions out of *Tuscany*. *Belisarius* came with his Fleet to *Ravenna*, where in vain indeavouring to draw over to him the Souldiers of *Totilas*, he sent a Party into *Emilia* to attempt some of the Cities of that Countrey. The *Isaurians* now left the service, and went home, excusing themselves to the Emperour by their want of Pay, and an Invasion which the *Hunnes* had made into their Territories. *Totilas* not ignorant hereof, sent some Forces to drive the *Romans* out of *Emilia*, but they were worsted by *Belisarius* his Troops, who then reinforcing *Auximum*, which the *Goths* had besieged, two hundred of his men were slain by an Ambuscado, and all their Arms and Baggage were lost; for when upon consideration of their disability to match the Besiegers, and that by staying, they did but consume the Towns Provision, and make it more liable to be taken, they resolved to depart, their Resolution was made known by a Renegado to the Enemy. *Pisaurus* a small Town upon the Gulf betwixt *Auximum* and *Ariminum*, *Belisarius* fortified, which *Totilas* having attempted to storm, but to no purpose, returned to the siege of *Auximum*, where the *Romans* kept close within their Walls. Finding both by espials and his demeanour that *Belisarius* was not able to fight him, he fell upon other strong Towns, blocking up *Firmum* and *Asculum* in *Picenia*; and so ended the Winter with the tenth year of the War, written by *Procopius*.

Redeund. ad hujus Sect. paragr. 129.

Totilas takes *Tibur*.

The Isauri depart home from the *Romans*.

The Romans receive a loss.

157. *Belisarius* being most concerned for *Rome*, sent *Artasires* a *Persian*, and *Barbation* a *Thracian*, two of his Life-guard, to defend it, together with *Bessas* the Governour at present, and ordered them, in case they were besieged, to make no Sallies at all. Being utterly unable to relieve the beleagured Towns, he sent *John* to *Constantinople*, taking of him an oath for his speedy return, and to importune the Emperour to send a new Army, and sufficient supplies, for the old Souldiers were quite out of heart, by reason of the want of their expected Pay for so long a time. The substance of these things he signified to *Justinian* in a Letter, which though they were sufficiently pungent, yet they moved the Court very little, and *John* staid long at *Constantinople*, where he married the Daughter of *Germanus* the Emperour's Nephew by his Brother, and was so taken up with his Bride, that he minded none of those Matters for which he was sent. In the mean time *Totilas* took in several Towns in *Tuscany* and elsewhere; and having in vain attempted *Perusia*, though he procured *Cyprianus* the Governour to be treacherously murthered, departed towards *Rome*, which he closely besieged. During the Leaguer he did no damage at all to the Husbandmen of *Italy*, letting them securely till their Ground; onely the publick Revenue or private Rents he took to his own use, and thereby sufficiently provided for his Army, while the Besieged laboured under all sorts of miseries. For after a brisk sally made by *Artasires* and *Barbation* against the mind of *Bessas*, wherein having slain into an Ambuscado of the Enemy, they lost most of their men, and hardly escaped themselves with their lives, the Famine began to grow sore in the City, no Victuals being imported either by Land or Sea. For the *Goths*, after they had reduced *Naples*, scoured the Seas by a Fleet of Barks, and surprized all Vessels in the way from *Sicily* to *Rome*. *Totilas* having men enough to spare, sent an Army into *Emilia*, and laid siege to *Placentia*, a City standing upon the *Poe*, and onely continuing in obedience to the *Romans*.

Belisarius sends for a new Army.

Totilas besieges *Rome*.

158. *Belisarius* by this time repented his coming to *Ravenna*, upon the persuasions of *Vitalius*, where being shut close up, he gave sufficient scope to the *Goths* to advance

Sect. 1. advance their Affairs, Providence indeed turning all his Councils and indeavours to the contrary end. Fearing not onely the loss of *Rome*, but all the rest, and not able with so small an Army to relieve them, he once resolved to rise and surprize some Places near the City, whence he might in certain junctures of time be able to afford the Besieged some succour. Yet committing *Ravenna* to the care of *Justinus*, he marched through *Dalmatia* to *Epidamnus*, and thence writing Letters of a fresher date to the Emperour, expected in return an Army from *Constantinople*. At length came a number of Souldiers, partly *Romans*, partly Barbarians, under conduct of *John* the Nephew of *Vitalianus*, with whom were joined in Commission *Isaac* the *Armenian*, Brother to *Aratius* and *Narses*. *Narses* also the Eunuch, whom he had sent to the *Herulian* Princes upon the same account, brought many of that Nation along with him, who were commanded by *Philimuth* and others, and in their march did the *Romans* a very great service by adventure. For meeting by chance with a multitude of the *Sclavi*, who having passed the River *Ister*, plundred all the Countrey, and took a great number of Captives, they had the courage to fight them; and though inferiour in numbers, beat them out of the Field, rescued the Prisoners out of their hands, and sent them home. *Belisarius* in the mean time sent *Valentinus*, and *Phocas* an expert Souldier, one of his Life-guard, to relieve *Rome*, which from *Portus* they attempted to no purpose, as also did *Vigilius* the *Roman* Bishop from *Sicily*, who sending some Ships laden with Corn to relieve the City, they all fell into the Enemies hands. And so ended the Winter and the eleventh year of the *Gothick* War, written by *Procopius*.

Placentia yielded to the *Goths*.

159. *Vigilius* the following Summer was sent for by the Emperour to *Constantinople*. *Placentia* was by famine (which constrained the Besieged at length to eat one another) forced to surrender upon composition. *Rome* was well nigh brought into the same extremity, though the poorer sort were very much supported by the liberality of *Pelagius* a Deacon of that Church, who having dwelt long in *Constantinople*, in the grace and favour of *Justinian*, was grown very rich; and being newly come to *Rome*, spent most of his Riches upon such as were in want by reason of the Siege. He also at the desire of the *Romans* undertook to plead their Cause before *Totilas*, who received him very gratiously, but dismissed him without any satisfaction in relation to his Message. Herewith the Besieged were utterly discouraged, and the Famine growing sore upon them, though the Souldiers Victual was not yet all spent, Multitudes flocked to *Bessas* and *Conon* weeping, and bitterly lamenting their condition, and praying them either to give them Food, to let them go, or else kill and dispatch them out of the way. The Officers answered, that to supply them with Victuals was impossible, to kill them was impious, and to let them go unsafe; but they cheered them as much as they could, and put them off with great assurances of *Belisarius* and an Army from *Constantinople*. The Famine grew every day more unsupportable. *Bessas* and *Conon* having laid up great quantities of Corn for the Garrison, at first retrenched their own allowance, and sold to the Richer sort at huge rates; as for example, a bushel of Wheat for seven golden Staters. The meaner sort not able to reach so high, paid a fourth part, and the Bushel was fill'd up with Bran, which their Stomachs were able enough to digest. An Oxe was sold at fifty Staters. He thought himself no mean man that could get a dead Horse to feed on. The Multitude fed on Nettles growing near the Walls, and amongst Rubbish, which they first boiled to prevent stinging. Such as had Purses at first to go to the Rate of the Wheat and Bran, when they failed, purchased it with their Houshold-stuff, till all the Corn being spent (save a little preserved by *Bessas*) and Money failing, they all betook themselves to Nettles. There not being enough of this to fill their Bellies, much less to supply the necessities of Nature, they pined away, their Skins grew pale and wan, and they looked like so many moving Ghosts. Many chewing Nettles, fell down and died with them in their Mouths as they went along. They forbore not one another's Excrements; and many, when Dogs and Rats failed them, killed themselves. Afterward the Commanders, seeing things reduced to this extremity, for Money, suffered such as would, to go out of the City. Some few staying behind the rest, fled whither they could; but most of them were so weak, that they died on Shipboard, or else upon the High-ways. Such as the Enemy caught, he failed not, though not out of any compassion, to rid out of this miserable life. To such a dreadfull condition was reduced the State of the People and Senate of *Rome*.

A grievous Famine in *Rome*.

160. *Belisarius* moved with this sad Calamity, sailed from *Epidamnus* unto *Portus*, giving in charge to *John* to march through *Calabria*; and having cleared those Parts of the *Goths*, which were not very many, to meet and join with him about *Rome*. But *John* having done some execution upon several Parties in his passage, durst

durst not venture to pass by *Capua*, though it had no more in it than three hundred men, and he had at his heels the choicest of the *Roman* Army, so strong were his fears of being surrounded by the *Goths*. Therefore did the General, fearing some desperate Resolution of the starving *Romans*, study some means to victual the City, which he had not Forces enough to relieve by fight. Upon the *Tiber*, about eleven miles below. *Rome*, where the Chanel is narrowest, *Totilas* had laid a Bridge of Planks, and at either side built wooden Towers, and put good Garrisons into them to hinder the passage of Barks up to the City. *Belisarius* therefore tied two Barks together, upon which he raised a Tower of Wood, higher than those the Enemy had made at the Bridge; and lancht into the *Tiber* two hundred Pinaces, the sides of which were full of Loop-holes to shoot at the Enemy. Aboard the Pinaces he put Corn and other Provisions, and towards the River's mouth, in places of advantage, laid Horse and Foot by either Bank, to hinder the designs of the Enemy upon *Portus*. This Garrison he committed to the care of *Isaac*, together with the charge of his Wife, and what other things he had there, expresly charging him not to stir, though he heard *Belisarius* were slain, but to keep close to his Guard, that upon any ill Accident there might be a place of retreat; for other Forts in the Countrey there were none, all the rest being in the hands of the Enemy. He himself conducted the Pinaces, and caused the two Barks with the Turret to be towed after; on the top of which he put a little Boat, full of Pitch, Rozin, Brimstone, and other combustible matter. That these his Devices might better succeed, he had the day before sent order to *Bessas* to make a general Sally, and alarm the Enemies Camp.

Sect. 1.

Belisarius attempts to relieve *Rome* with Provisions.

161. *Bessas* making great gain of the Corn which had been laid up for the Souldiers, was not willing the Siege should be raised, and therefore neglected both these and former orders. But *Belisarius* rowed up the stream, which ran strong against him; the *Goths* all this while lying quiet in their Trenches. Near the Bridge he found an Iron Chain cross the River, which, after he had killed some, and frighted away the rest who made opposition, he easily removed, and passing on to the Bridge, fell presently to work. The *Goths* from their Towers valiantly defending themselves, he caused the Barks with the Turret to be rowed near to the Enemies Tower, which stood in the water by the way from *Portus*. Then was the Cock-boat set on fire, and shoved down just upon the said Tower of the Enemy, which instantly fell afire, and burnt with it self two hundred *Goths*, together with their Officer, one of the valiantest of their Nation, the *Roman* Souldiers in the mean time plying with Shot such as came from the *Gothick* Camp to the relief of their Fellows, so thick, that being amazed at the Accident, they ran all away. They laid hands on the Bridge, and had suddenly pulled it down, and gotten into *Rome*, none opposing, but that Fortune now shewed her ficklenes, and some envious Dæmon plotted the ruine of the *Roman* Affairs, in the opinion of *Procopius*. The good Success of the *Romans* at the Bridge had the ill luck to be too soon reported at *Portus*, which tickled so much *Isaac* the Governour, that not able to hold, he must needs have a share in the honour; and forgetting or slighting the Commands of the General, went hastily to the other side of the River where *Ostia* stands, and with an hundred Horse of the men left him by *Belisarius*, charged the Enemies Quarter, commanded by *Roderick* a skilfull and valiant Souldier. Surprising the *Goths*, he wounded many besides *Roderick* himself; and they suspecting more to be coming, or rather on purpose to draw him on into danger, quitted their Quarter. For *Isaac* having entred the Trenches, and falling to pillage, the *Goths* returned upon him, killed many, and took himself and others Prisoners. The news being carried to *Belisarius* by some Horsemen, that *Isaac* was taken by the Enemy, astonisht thereat, and never inquiring the manner, but thinking *Portus* and his Wife to be lost, and all ruined, by reason that now the Army had no Fortress to retire to, he had not a word to say, a thing which to him before had never happened. Immediately he drew back his Forces, meaning to charge the Enemy unprepared, and by all means to recover the Place.

His Design frustrated.

Paulus Diac., Roderich, quiete potiens: Alibi & in voce Al. Rodericus, nomen etiamnum Hispanis ex Gothico frequens.

Through trouble of mind, he falls into a fever.

162. Coming to *Portus*, and there perceiving as well the precipitancy of his own Councils, as the Rashness of *Isaac*, the thoughts thereof so tormented him, that through perturbation of mind he fell into a Fever, which afflicted him a long time, and brought him to deaths door. *Roderick* died of his wounds within three days, which so incensed *Totilas* against *Isaac*, that out of revenge he put him to death. In the mean time *Bessas* drives a great Trade within *Rome*, hunger and necessity raising his Market to such a pitch, that wholly taken up with the thoughts of his profit, he totally neglected his Charge, so that the Souldiers were negligent, the Sentinels slept securely, none ever visiting them, calling them to account, or going

Bessas basely covetous.

Sect. 1. the Round, as was usual; and the Citizens almost starved, refused to keep any watch. Matters standing thus, four *Isaurians* being Sentinels near *Porta Asinaria*, slipt down the Walls by Ropes tied to the Battlements, late at night, when their Fellows were asleep, and coming to *Totilas*, undertook to receive his Army within the City. He sent them back loaded with promises, and with them two Souldiers, who found all things in repose and security, and accordingly made their report of the easiness of the Enterprize, yet would he not trust to it, fearing some treachery in the *Isaurians*, who not many days after came to him again, and so urged him to the business, that he sent two other Souldiers with them. These examining all exactly, made such a report as agreed with the former; but in the mean time some *Goths* were taken by the *Roman* Scouts, who being brought to *Bessas*, acquainted him with the hopes of *Totilas* to have *Rome* betrayed into his hands by *Isaurians*. Yet did both *Bessas* and *Conon* make slight of the Advertisement; and the *Isaurians* coming the third time to *Totilas*, and he sending others, and one of his own Kindred with them, and they reporting still the same thing, he resolved upon the Enterprise.

163. The same night therefore he silently armed his Forces, and led them to *Porta Asinaria*. Four *Goths* strong and valiant he appointed to mount the Battlements with the *Isaurians*, who being got into the Town, went to the Gate, and not meeting any body, with their Battle-axes cut in two the Timber Posts upon which the Gates hung, and wrenched off the Iron-work and Locks, which being done, they opened the Gates, and received in *Totilas* with his Army. *Totilas* to provide against all Ambushes, suffered not his men to scatter abroad, but drew all up to one place. Upon the Alarm the City was presently in a tumult. Most of the *Roman* Souldiers ran out with their Commanders at another Gate. Some of them took sanctuary with the Townsmen in Churches. Of the Patritians, *Decius*, *Basilius*, and some others, having Horses, fled with *Bessas*. *Maximus*, *Olybrius*, *Orestes*, and others, fled to Saint *Peter's* Church. Of the common sort remained but five hundred men, who took sanctuary also; the rest were either fled or starved. *Totilas* in the morning, fearing no Ambush, went to Saint *Peter's* Church to prayer, his men in their way killing about six and twenty Souldiers; and sixty Commoners. Thither being come, *Pelagius* the Deacon, with the Gospels in his hands, came a Suppliant to him: Crying out, *O spare, my Lord, your own People.* *Totilas* scoffed at him at first, but won with his importunate Supplications, forbad his *Goths* to kill any more, but gave them leave to plunder the City, reserving the choicest of the Pillage to his own use. Much Wealth was found in the Houses of the Patritians, but the most considerable was the Treasure of *Bessas*, which by his covetous exactions he had heaped up for *Totilas*. Many Senatours, and *Rusticiana* the Widow of *Boetius*, and Daughter of *Symmachus*, a most pious and charitable Matron, went begging their Bread of their Enemies, wandring from door to door, and craving sustenance without blushing. The *Goths* indeavoured to put her to death, for bribing the *Roman* Commanders to break down the Images of *Theodorich* in revenge of her Husband's and Father's deaths, but *Totilas* preserved both her and all other Women from the cruelty and insolence of the Souldiers, to his great honour and reputation. But thus was *Rome* taken, and handled by the *Goths* in the twelfth year of the War, the sixth after the Consulship of *Basilius*, the one and twentieth of *Justinian's* Reign, and the sixth of *Totilas*, *A. D.* DXLVII.

Rome surprised.

164. *Totilas* perceiving his men to be elevated with their good success, made a sober discourse to them, wherein he shewed, how according to the justice and moderation of their Actions, both the one side and the other had hitherto risen and fallen, gone down the wind, and prospered. The *Roman* Senatours he reproached with some bitterness, that having received such benefit from the *Gothick* Kings, been employed in all Offices, managed the whole State, and inriched their Families, they had carried themselves so ingratefully to their Benefactours, and betrayed their own Intereст by bringing *Greeks* into their Countrey. For whereas they had never received any hurt from the *Goths*, but abundance of good, he affirmed they never could boast of any benefit from *Justinian*, except it were their being deprived of almost all Commands, called to account for their Arrears, even the Treasury of the *Goths*, and paying their Tributes in times of War as well as Peace. He objected many things, carrying himself as angry Masters are wont to do towards their Slaves, for such he told them they must account themselves; yet at the intercession of *Pelagius*, when they stood silent before him, he promised them pardon, and let them go. But to *Justinian* he sent the said *Pelagius*, with *Theodorus* a *Roman* Oratour, as his Ambassadours, threatning, if the Emperour would not imbrace Peace, to lay *Rome* flat with the ground, to kill all the Senate, and bring the War into *Illyrium*; by

Totilas sends to *Justinian.*

by Letters he propounded to him the example of *Anastasius* and *Theodorich* their reigning peaceably together; offering, in case he would doe the like, to own him for his Father, and that he should have the *Goths* his Friends and Allies against whomsoever he pleased. Sect. 1.

165. To this *Justinian* onely answered, that he had made *Belisarius* his General and Vicegerent, with absolute authority, who had full power to manage all things of that nature as he pleased. During the Voyage of the Ambassadours, *Totilas* in vain attempted to open the passage into *Lucania*, the Straits being guarded by *Tullianus*, who had levied some Peasants in that Countrey, and had three hundred *Antians* left him by *John*, who of all Barbarians were most proper to fight in a fastness. *Totilas* inraged at this repulse and defeat of his men, resolved to demolish *Rome*, leaving part of his Army in some Town thereabout with the rest to go against *John* and the *Lucanians*. He threw down a third part of the Walls, or thereabout, was ready to set fire to the fairest and most eminent Buildings, and had nothing more in his thoughts than to make the Seat of *Rome* a Pasture for Sheep; when *Belisarius* advertised, sent a Message to him, and by Letters diverted him from his purpose. He insisted much upon the Majesty and Grandure of this Ancient City, which having been raised to this pitch of greatness by the vertue and industry of so many Ages, Posterity could not but look upon him that destroyed it as an Enemy to Mankind, depriving them of the Pattern and Spectacle of the worth and gallantry of their Ancestours. Should he prove victorious, he told him, he would by demolishing *Rome*, ruine not what was another's, but his own, being the goodliest Possession in the World; whereas, in case he was worsted, by preserving it, he should obtain abundant thanks from the Conquerour; but by destroying it, deprive himself of all pretence to mercy and favour. In conclusion, that he would get nothing by it, but a fame in the World, suitable to such a proceeding which now attended his Resolution herein either way; forasmuch as whatsoever the Actions of Princes be, such must necessarily be the Name and Reputation they must bear from them.

who refers all to *Belisarius.*

Totilas thereupon purposes to destroy *Rome.*

Belisarius by Letter diverts him.

166. *Totilas* upon often perusing the Letter, and seriously considering the Advice, forbare doing any farther harm to *Rome*; and signifying his determination to *Belisarius*, dismist the Messengers. Most of his Army he caused to incamp at *Algidum*, fifteen miles to the Westward of the City, to keep *Belisarius* fast in *Portus*; with the rest he himself marched against *John* and the *Lucanians*. Not a man did he leave in *Rome*, leading some Senatours with him, and sending the rest, with their Wives and Children into *Lucania*. *John* hearing of his coming, retired into *Otranto*, after whose departure, the Husbandmen were directed to manure their Grounds as formerly, which were now declared to belong to their old Landlords. *Tullianus* also ran away, and his three hundred *Antians* betook themselves to *John's* Army; so that all on that side the Gulf, *Otranto* excepted, became again subject to the *Goths*, who grown bold, and straggling abroad in small Parties, *John's* Forces killed many of them, which caused *Totilas* to unite his Army about Mount *Gargarus*, almost in the middle of *Apulia*, where he incamped in the very Intrenchments of *Hannibal*. In the mean time *Spoletum* was retaken by the means of *Martianus* a *Roman* Souldier, who counterfeited himself a Fugitive; and *John* seizing upon *Tarentum*, fortified it by a Ditch cut through the Isthmus. *Totilas* surprized *Acherontis*, a strong Castle of *Lucania*, upon the Confines of *Calabria*, into which he put four hundred men, then led he his Army toward *Ravenna*, leaving a Party in *Campania* to look to the Senatours thither confined.

167. But *Belisarius* hearing how *Totilas* had quitted *Rome*, burnt with a desire of once more possessing himself of that City, and leaving a small Garrison in *Portus*, went thither with the rest of his Army, and a full resolution to hold it. Not able in a short time to repair the great breach made by *Totilas* in the Wall, he heaped Stones rudely one upon another without any Morter, onely to give it the form and shape of a Wall, but without it pitcht good store of Stakes, having formerly made a Ditch round about, as was said before; And the whole Army labouring chearfully, the Work was finished in five and twenty days. The *Romans* out of the Adjacent Countrey flocked thither, as well out of love to the Place, as to be supplied with Victual, which in abundance was imported by *Belisarius* up the River. *Totilas* at the News went instantly back to *Rome*, not fearing to recover it; for the Gates he had broken down, were not yet set up for want of Artificers. But where the Gates had stood, *Belisarius* placed some of his best Souldiers, commanding the rest from the Walls to oppose the Assailants. And that they did with such courage, that the *Goths*, who hoped to take the Town at the first onset, finding the business difficult, grew angry, and their anger made them more resolute and venturous.

Belisarius again fortifies *Rome* as well as he can.

Totilas returns against it.

Sect. 1. Neceſſity alſo conſtraining the *Romans* to be Valiant, the Fight was hot, and continued from Morning to Night, which being come, the *Goths* who had received great loſs, returned to their Camp, and dreſſed their wounded men. The beſieged kept Guards upon the Walls, and cauſing their beſt men by turns to watch the Gates, pitcht before them many *Tribuli* or *Murices*, which were made after this faſhion. Four Iron ſprigs of equal length, they faſtned together in ſuch a form, that their right lines made a triangle every way. Theſe they caſt upon the Ground, and three of them ſtuck faſt; the other ſtanding upright, hindered the approach of Horſe and Men, and if by chance they were turned over, the point that ſtood up before, pitched into the Ground, and another got up in its ſtead, hindring thus a charging Enemy.

After many Aſſaults draws off.

168. *Totilas* the day following, aſſaulted *Rome* the ſecond time, but receiving the worſt, the Enemy ſallied out upon him, and killed many of his men; and many days after though he had made great preparations, he had the ſame fortune, and was forced to draw off to *Tibur*, breaking down the Brides upon the River, that the Enemy might not ſall upon his Rere, onely that called *Pons Milvius*, he could not demoliſh. He cauſed to be rebuilt the Caſtle of *Tibur*, which formerly his Countreymen had demoliſhed, and kept himſelf for ſome time quiet within it. *Beliſarius* in the mean while ſetting up the Gates at his eaſe, which he lined with Iron, and once more ſent the Keys to the Emperour, with which paſſages ended the Winter, together with the twelfth year of the War. The *Goths*, who had formerly magnified their King, eſteemed his Valour, admired his fortune, and accounted themſelves happy in their Choice, upon this little misfortune and want of ſucceſs, began to be quite altered in their thoughts and demeanour towards him, reproaching him licentiouſly for his unadviſedneſs, in not demoliſhing all *Rome* when he took it, or in not keeping it himſelf, but thus ruining what they had effected with much time and labour. Having ſent Forces to beſiege *Peruſia*, and the Siege wanting ſome aſſiſtence, when he purpoſed with his whole Army to march thither, they received his Directions repiningly. This put him upon an Apology, wherein he ſhewed the viciſſitude of all humane things, the inconſtancy of Fortune, eſpecially in matters concerning War, and proved that his want of ſucceſs, was the product of his diſaſtrous Stars, not the effect either of his Neglect or Ignorance. From theſe and ſuch like Topicks he ſo framed his Diſcourſe, that he perſwaded them to undertake the Enterprize of *Peruſia*, and ſate down before it. As the *Goths* thus ordered their matters, *John* who had beſieged the Caſtle of *Acherontis*, departed ſuddenly from before it into *Campania*, and there ſet at liberty the Senatours and their Wives, ſending them into *Sicily*. And he routed a party of four hundred *Goths*, he accidentally met at *Capua*, whom *Totilas* ſent to prevent that which he accompliſhed upon the Senatours.

Beſieges *Peruſia*.

169. *Totilas* inraged to be thus robbed of his prey, muſt needs be revenged upon *John*, and marches preſently upon the News againſt him, over Mountains and through by-ways to avoid his Scouts, and by Night he ſet upon him contrary to the true Maximes of War, which plainly ſhew it to be the beſt for a ſtronger Army to make an open Fight. He was ten to one in numbers, and might eaſily have taken them all as in a Net, but upon the alarm, they moſt of them ſlipt away by the advantage that darkneſs afforded them, and with loſs of ſcarcely one hundred men eſcaped with their Leader to *Otranto*. Things ſtanding thus in *Italy*, the Emperour, upon the importunate Letters of *Beliſarius*, ſent about one thouſand four hundred men in ſeveral parties, and under ſeveral Officers, and wrote to him that he was to expect a great Army in *Calabria*, wherewith he would have him give the Enemy Battel. Hereupon he pickt out of his men, ſeven hundred Foot, and two hundred Horſe of the choiceſt, and leaving the reſt to *Conon*, to guard the places about *Rome*, departed for *Sicily*, thence intending to put in at *Tarentum*. But making for this place, by contrary Winds and Storms, he was conſtrained to come to Anchor in the Haven of *Crotone*, to the Eaſtward of the *Bay*. (*Thurium* being on the North, and *Tarentum* ſtanding about the middle,) and there to ſtay with his Wife and all the Foot intending to ſend for *John's* Army. His Horſe he Commanded to march higher into the Countrey, and Quarter there where the Mountains of *Lucania* reaching into *Brutia*, and meeting at a ſtrait make two narrow Paſſages, the one called in Latine *Petra Sanguinis*, and the other *Labulla*, neighbour to which was *Ruſcia* the Arcenal of the *Thurians*, and ſeven miles and an half above it a ſtrong Caſtle, built by the ancient *Romans*, which the *Goths* had a little before poſſeſſed, and therein placed a ſtrong Garriſon. The Horſe being hither ſent, that they might better get Proviſions, and keep off the Enemy in faſtneſſes, met Forces ſent

John eſcapes his Hands.

Sect. 1.

ſent by *Totilas* to relieve that Caſtle, which they utterly defeated killing above two hundred. The News hereof being brought to *Totilas* by thoſe that eſcaped, he alſo underſtood of the ill government, and careleſs demeanour of the late Victors, for they neither lay together in one Body, nor kept Guards upon the two paſſages, but elevated with their ſucceſs lodged ſecurely far aſunder, and all the day ſtragled for Proviſions, without ſending abroad their Scouts, or adviſing upon any courſe of ſafety. *Totilas* therefore with three thouſand choſen Horſemen, comes ſuddenly upon them, and eaſily amazed and defeated them, whereat the *Romans* were much creaſt-faln, having ſet their hopes upon theſe, as being extraordinary good men. *Beliſarius* having News of the Defeat, and that the *Goths* would ſuddenly be with him at *Crotone*; in great grief ran to his Ships, weighed Anchor, and with a fair wind came the ſame day before *Meſſina* in *Sicily*, diſtant from *Crotone* eighty ſeven miles, ſtanding right over againſt *Rhegium*.

The *Sclavi* paſs the *Danube*.

170. About this time, a mighty power of the *Sclavi* paſſed the *Danube*, and did infinite miſchief in *Illyrium*, peircing as far as *Epidamnus*, killing and captivating all they found, and ſpoiling the Countrey. They took many Caſtles none defending them, and roved up and down without Controll; the Commanders of *Illyrium* waiting ſtill upon their Motions, with fifteen thouſand men, but not daring to come near them. The ſame Winter were many terrible Earthquakes in *Conſtantinople* and elſewhere, all by Night, but no hurt was done. But the River *Nile* ſwelled eighteen Cubits, and overwhelmed all *Ægypt*. In the Countrey of *Thebais*, and the upper Grounds, the Waters abated in ſeaſonable time, but retired not at all from the lower, but covered them all the Seed time, a thing which had never before happened, as *Procopius* affirms. To ſome places the water returned again, and rotted the Seed put into the Ground, during the abatement, ſo that moſt of the Cattle periſhed for want of ſuſtenance. The great Whale was now alſo taken by the *Conſtantinopolitans*, called *Porphyrion*; which, at times, for the ſpace of above fifty years, had infeſted them, drowning Ships and forcing Mariners through fear upon great Inconveniences. *Juſtinian* had attempted many ways to take the Monſter, but ſtill unſucceſsfully. Now ſhe purſuing a great number of Dolphins, which came up the mouth of the *Euxine*, as far as the River *Sagaris*, and following her Prey too near the ſhore, fell into the Mud, where tumbling and ſtrugling, ſhe farther intangled her ſelf, and the People of the Countrey coming upon her, hewed her with Axes, but not able to kill her, with great Ropes drew her aſhore, where they found her thirty Cubits long, and ten broad, and ſome preſently fell of eating her, and others pickled her up. The news of this Whale added to that of the *Nile*, and the Earthquake, gave great occaſion of diſcourſe to the *Conſtantinopolitans*, amongſt whom was no talk now, but of ſtrange things to come portended by theſe Prodigies. Whatever they ſignified as to the future, for the time paſt the Overflowing of *Nile* had cauſed much Calamity, and the killing of the Fiſh, according to common apprehenſion, was the riddance of a great miſchief; though ſome ſaid it was not the *Porphyrion* it ſelf, but ſome other Whale. In the mean time, *Totilas* in *Italy* unconcerned at thoſe Prodigies, and rather Propheſying good to himſelf, than any harm by them, underſtanding that the *Romans* in *Ruſciana* were ſcarce of Proviſions, ſate down cloſe by it, hoping to maſter it e'er it could be relieved. And thus ended the Winter, and the thirteenth year of the War, written by *Procopius*.

Ægypt overflown by the *Nile*.

The *Porphyrion* taken.

Totilas beſieges *Ruſciana*.

171. The Emperour now ſent two thouſand Foot into *Sicily*, and commanded *Valerianus* inſtantly to repair to *Beliſarius*. Paſſing the Gulf, he found him at *Otranto* with his Wife *Antonina*, who then Sailed to *Conſtantinople*, to obtain from *Theodora* the Empreſs, better Supplies for her Husband; but ſhe found her dead, having lived in that ſupreme Dignity the ſpace of one and twenty years, concerning whoſe Actions and demeanour we ſhall have enough to ſay, when we come to the Character of her Husband. *Beliſarius* ſent for *John* to *Otranto*, and with him and *Valerianus* having got a Fleet together, Sailed to the relief of *Ruſciana*. The Garriſon had capitulated to yield up the Caſtle by Midſummer, provided they had no hurt done them, in caſe they were not ſuccoured in the mean time, but now diſcerning the Fleet, they took courage and refuſed to yield, though the day aſſigned was at hand. But the Coaſt having no harbour, a Storm diſperſed all the Ships, and in the Haven of *Crotone* they all met and made for *Ruſciana* again. The *Goths* from the ſhore were ready to oppoſe their Landing, which ſeeing they durſt not come nearer, but lay at hull off in the Sea, and at length deſpairing, tacked about to Seaward, and came again to Anchor in the Haven of *Crotone*; where they reſolved in Council that *Beliſarius* ſhould make for *Rome* and Victual it as he could, and that

John

Sect. 1. *John* and *Valerianus* should go into *Picenia* to hinder the beleaguring of the Towns there, hoping to draw *Totilas* also toward them, and so by a kind of Revulsion, to raise the Siege of *Rusciana*. *John* with a thousand men did accordingly; but *Valerianus* was afraid, and through the *Ionian* Gulf Sailed by *Ancona*, thinking to get that way more securely into *Picenia*, and joyn with *John*. But *Totilas* raised not his Siege, sending two thousand select Horsemen into *Picenia* to joyn with other *Goths*, and beat away the *Roman* Forces. Provisions failing now the Garrison of *Rusciana*, he yet pardoned them all, except *Chalazar* who had formerly broken faith with him, and so received the Castle. Him he put to Death, cutting off his Hands and privy Members. The Souldiers that would, he received to equal Rank with *Goths*, and left them their goods, as his custome was in all places. Such as would not, he dismist, stript and unarmed, not desiring any should serve him unwillingly. Eighty of them quitted their goods, and went to *Crotone*. The rest staid; of whom the *Italians* had afterwards their goods taken away, but no hurt was done to their Persons.

Takes it.

Belisarius returns without honour to Constantinople.

172. *Antonina* finding the Empress dead, when she came to Court, besought the Emperour to recall her Husband, which she easily obtained, the *Persian* War sorely pressing *Justinian*. And so he returned to *Constantinople* without Honour, having in five years space never marcht up into the land parts of *Italy*, nor made any expedition, but being all the while as in a perpetual flight, Sailing from one Sea Town to another, which gave the Enemy opportunity to captivate *Rome*, and all the rest. And he now abandoned *Perusia* the chief City of *Tuscany*, which was taken by storm whilst he was on his way homeward. Thus the same men are not always the same as to external circumstances, their own tempers and humours altering, and fortune as it were taking a delight to shew her power, in procuring them disrespect as well as honour, casting them down, as well as raising them, and making them feel themselves subject to her Sovereignty and Jurisdiction. *Procopius* our Historian in the Books he wrote concerning the *Gothick* War, modestly expresseth himself in this case of *Belisarius*, laying the fault rather upon fortune than the man, those Books being published abroad, whilst *Belisarius* and *Justinian* yet lived. But in the *Anecdota*, or secret History, wherein with freedom enough, (if not more than enough,) he (or some body else,) published the defects and vices of those great men, after their Deaths; he reprehends him for several mistakes and willfull Errours. He confesses he had nothing allowed him out of the publick Treasury, to the expence of this War, and yet charges him with extraordinary avarice and scraping. He accuseth him of fleecing the Inhabitants of *Ravenna*, *Sicily*, and all others where he came, pretending to punish them for former faults, and their old Opinions: Lays to his charge, how being to animadvert upon *Herodian*, he required moneys of him, and used, to accomplish his ends, such continual threats, that the man wearied and afraid, renounced his Oath made to the *Romans*, and betaking himself with his Troops to *Totilas*, gave up *Spoletum* into the hands of the *Goths*. To his great uxorious humour, he ascribes the grudges which happened betwixt him and *John* the Nephew of *Vitalianus*, and which exceedingly damnified the Emperour's business in *Italy*. For *Theodora* the Empress being inraged at *John*, for contracting a Marriage with *Justina*, the Daughter of *Germanus* the Emperour's Nephew, as the Historian concludes, gave private Orders to *Antonina* the General's Lady, to have him made away, so that he aware of this, and knowing *Belisarius* to be so much the slave of his Wife, that he could not deny her any thing, durst not come near him, nor give him any assistence in carrying on the War.

Ἐμίσει γὰρ ἐπιλοχισμὸν ἐς τὸν τοῦ δήμου μάλιστα, ἢ νικᾶν ἀεὶ ἐν ἅπασιν ἐπιστάμενος, ἀεὶ δὲ ἐν Βασιλεῦσι χαυνούμενος. *vide Arcan. Hist. pag.* 22.

173. What is farther objected against *Belisarius* in that Work, we shall observe when we part for altogether with this Great General, and return to *Procopius* his Volumes of the *Gothick* Wars, where we shall find an account given us of some Conspiracies against the Emperour's Person, at such time as *Belisarius* was upon his Journey. *Artabanes*, who slew the Tyrant *Gontharis* in *Africk*, had a great desire to Marry *Projecta* the Emperour's Sisters Daughter, having already betrothed her, and she indeed affected the Match very much, but not so much out of love to his Person, as in gratitude to a man that had revenged the Murther of her Husband *Areobindus*, and rescued her a Captive, and ready to be thrust into the loathed bed of *Gontharis*. Both consenting, *Artabanes* sent her to her Uncle, and being made General of *Africk*, desired leave upon some pretences to return to *Constantinople*, hoping thereby to effect the Marriage, get many other advantages, and in conclusion, to put for the Empire it self. The Emperour making another General in his stead, granted his request, and he accordingly returned to *Constantinople*, where being a comely tall Person, and liberal, though of few words, he became loved and admired by the Citizens. The Emperour respected him with the best, made him General of his Forces in *Constantinople*, gave him the Command of all the Confederates, and farther graced him with the Title of Consul. But here was the mischief, he could not enjoy *Projecta*; for all this while he had a former Wife, his Countrey-woman, whom he Married young, and had put off upon some slight pretences. And so long as his fortunes were a-making, she fate quiet at home, but now that he was grown famous for his Actions, and great in his Incomes, she would no longer contain her self, but made suit to the Empress to be restored to her Husband, which was effected fore against his will. And *Projecta* was Married to *John* the Son of *Pompey*.

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174. *Artabanes* inraged to have this return for all his good Services, so soon as the Empress was dead, presently put away his Wife. It happened at this time, that the Emperour's Brothers Son was offended at him, for withholding from him and his Sons, an Estate left them by his Brother *Boraides*, and protecting against them, the Daughter of the Deceased, though her Father had onely left her so much as the Law compelled. There was also in *Constantinople*, one *Arsaces* an *Armenian*, of the race of the *Arsacidæ*, and kindred of *Artabanes*. Whom being Convicted of a Conspiracy with *Chosroes* King of *Persia*, *Justinian* onely punished by some lashes upon his Back, and making him ride through the City upon a Camel taking nothing from him, nor so much as Banishing him the Court. Yet hereat was he discontented, and devising how to be revenged, he took the occasion to break his mind to *Artabanes*, knowing him to be much also out of humour. He upbraided him with poorness of Spirit, for suffering himself to be abused, and his Countrey burthened with a perpetual Garrison and unusal taxations, having formerly been Valiant, and forward to rescue others, and pull down Tyrants. He told him there would be no difficulty at all in killing *Justinian*, who was wont to sit up till Midnight without his Guards, discoursing with some old Priests, and busie in disquisitions and endless in scanning the Oracles of Christians; besides his Kinsmen would not oppose, but rather joyn with him: *Germanus* and his Sons being wronged and disobliged by him. Finding him yielding, he imparted the matter to one *Chanaranges* a *Persarmenian*, an handsome Youth, but nothing serious, and having brought *Artabanes* and him together, promised to draw *Germanus* and his Sons into the Plot.

Artabanes and others Conspire against *Justinian*.

175. *Justinus*, the Elder of them, who was but young, his Beard newly sprouting, yet Valiant and sharp witted, he desired to meet him in a Church, where having taken from him an Oath of secrecy, he chid him for that, being the Emperour's nearest Kinsman, he suffered Petty-fogging, and mean fellows to hold the greatest Offices, whilst *Justinian* despised both him and his Father, though a man that had attained to the height of Virtue, and suffered *Justinian* his Brother still to lead a private Life, having also deprived them of the greatest part of his Uncle's Estate, though left them by Will. *Justinus* was amazed, and flatly refused to joyn with him, affirming the same also in his Father's behalf, to whom he revealed the matter. *Germanus* acquainted with it *Marcellus* the Captain of the *Palatine* Guards, a man grave, austere, and of a rigid Life, who advised him not to reveal it as yet to the Emperour, lest the Conspiratours discovering it, *Arsaces* should run away, and they be left utterly without proof, but he desired that either he himself or some of his friends might hear their Discourse. Accordingly one *Leontius* a man he could trust, was placed by *Germanus* in his Dining Room behind the hangings, and he and his Son *Justinus* staid in the Room, where they all heard *Chanaranges* plainly declaring the Conspiracy, betwixt himself, *Artabanes* and *Arsaces*; and it was agreed that the Emperour should not be killed till *Belisarius* came to Town, who being now upon his way, in case they should, after the deed done, make *Germanus* Emperour, would leavy an Army in *Thrace* and come against them, and they should never be able to keep him off; But being in the Court with the Emperour, they might enter some Evening with their Daggers suddenly, and kill *Justinian*, *Belisarius* and *Marcellus* altogether. *Marcellus* having this account from *Leontius*, yet forbare to report it to the Emperour, lest by too much haste he should Ruine *Artabanes*. But *Germanus* fearing that which happened, to be suspected for delay, revealed it to *Buzes* and *Constantianus*; and afterward *Belisarius* being reported to be near at hand, *Marcellus* acquainted the Emperour with it, who caused *Artabanes* and his Complices to be committed to the common Prison, and to be strictly examined by some Principal Officers.

The Conspiracy revealed.

176. The

Sect. 1. 176. The Conspiracy being manifest, and reduced into writing, the Senate was assembled in the Palace, where, notwithstanding the Confessions of the Prisoners, yet *Germanus* and *Justinus* had been involved in the Crime, if the testimonies of *Marcellus* and *Leontius* had not cleared them, and *Buzes* also and *Constantianus* had not deposed that *Germanus* had hid nothing from them, but demeaned himself as aforesaid. So the Senate acquitted them as innocent, but the Emperour in his Chamber stormed, and was much inflamed against *Germanus*, for his slowness in the discovery, being seconded and soothed by two officious Officers, desirous to ingratiate themselves by the miseries of other men; and the rest stood amazed without speaking a word; yielding by not opposing. Onely *Marcellus* by urging the truth vehemently, by taking all upon himself, and affirming that he discovered it more lately, because he desired more narrowly to search into it, pacified the Emperour, and got great reputation by so seasonable a virtue. *Artabanes* onely was removed from his Office, having no other harm, no more than the rest who were restrained, but not dishonourably, nor now in the common Prison, but the Palace. Thus was the Emperour in danger in the East, and his Empire at the same time more than in danger in the West, of which the Barbarians now were clearly Masters; the *Romans*, who at first carried all before them, having after a vast expence of Bloud and Treasure, lost *Italy*, and standing looking upon *Illyrium* and *Thrace*, shamefully wasted by their Barbarous Neighbours. In the beginning of the *Gothick* War, the *Goths* gave to the *Franks* all that part of *Gall* subject to them, being not in a condition to fight with both, which gift *Justinian* confirmed, that he might not be crost and diverted by a War with that People; nor would the *Franks* have thought their Title sure, if the Emperour had not put his Seal to the Act. Hereupon the Kings of the *Franks* got *Marseilles*, (anciently a Colony of the *Phocæans*,) and became Masters both of the Sea and the Maritime Towns. And now, saith he, they sit in *Arles* beholding the Horse-Races there, and Coyn Gold Staters out of the Mines in *Gall*, not with the stamp of the *Roman* Emperours, (as the custome at this time was,) but with their own Images. Yet could not the King of *Persia* though he Coined silver Money as he pleased, nor any other Barbarian King, put his own stamp upon a Gold Stater, yea though he was now a much greater Master of Gold than the Emperour; For such Coin they could not put away, though they traded with Barbarian Merchants. Moreover the *Franks* seeing *Totilas* prevail, seized the greatest part of *Venetia*; the *Romans* having no power to resist, nor the *Goths* to grapple with both at once.

The Franks gain in these days.

The Gepidæ also Win.

177. The *Gepidæ* also took *Syrmium* and almost all *Dacia*, so soon as had taken them from the *Goths*, and proceeded in making spoil of the Provinces, so that the Emperour made a stop of the Pensions paid them formerly by the *Romans*. To the *Longobardi* or *Lombards*, he gave *Noricum* and the strong places in *Pannonia*, with other Towns and great Sums of money, who thereupon left their own Countrey, and seated themselves by the *Danube*, near to the *Gepidæ*, pillaging *Dalmatia* and *Illyrium* as far as *Epidamnus*. The *Heruli* had also part of *Dacia* assigned them near the City *Singedon*, where inhabiting, they thence overran and spoiled both *Illyrium* and *Thrace*, notwithstanding they received their full Pensions, without much attendance, and some of them served the *Romans* in their Wars, and were ranked with the Confederates. But not long after, the *Gepidæ*, and the *Lombards* being too near Neighbours fell out, and a Day was appointed for a pitcht Battel between them. Both *Thorisin* Prince of the *Gepidæ*, and *Audonin* of the *Lombards*, sent their Ambassadours to *Justinian* for aid against this great and bloudy day. The Ambassadours on each side used many arguments, and *Justinian* after a long Consultation, refused the *Gepidæ*, and swore a League with the *Lombards* to whom he sent ten thousand Horse, and fifteen hundred *Heruli*. But the *Gepidæ*, understanding the *Roman* Army to be near, compounded the difference with the *Lombards*, and concluded a Truce without the *Romans*, who thereupon durst neither go backward nor forward, but lay still, and advertised the Emperour of their misfortune.

Gepait cuellai pigros interpuauer Procopius, & Jornandes Gepidæ Gens è Scandinavia.

The Lombards.

And Heruli.

The Roman Army in a Noose.

178. But *Vigilius* Bishop of *Rome*, and the *Italians* at Court, who were both many and powerfull, solicited the Emperour in behalf of their Countrey. Above all *Gothicus* pressed him to it being a Patritian, and lately Consul, who was newly come to *Constantinople* for this purpose. The Emperour gave them good words, and promised to take care of *Italy*, yet he spent most of his hours in Christian Controversies, and such things as tended to the settlement of Church matters. Certainly at this time, his Affairs in that Countrey more and more went down the wind. For *Totilas* his Forces increased by an accession of six thousand men, brought to him

The Goths prosper in Italy.

to him by *Ildiges*, a Prince of the *Lombards*. And about the same time *Ilauph*, one of *Belisarius* his Life-guard, revolted to him, by whom he was presently sent with a Navy and Forces into *Dalmatia*. There being thought as honest as formerly, and appertaining to *Belisarius*, he had opportunity enough to doe mischief, putting all the Inhabitants of *Monecurus*, a Sea-town near *Salonæ*, to the Sword, which having sackt, he removed, and did the same to *Laureata* a Castle also upon the Sea. Certain Forces in Pinaces sent against him by *Claudianus*, the Governour of *Salonæ*, he worsted, and forced them to quit their Vessels, which he took in the Haven of *Laureata*, together with other Ships laden with Corn and Provisions, which having done, and killed and spoiled all they found, he returned to *Totilas*: when the Winter ended, and the fourteenth year of the War, written by *Procopius*.

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179. *Totilas* all this while had his mind set upon *Rome*, whither now he removed, and besieged it with his whole Army. *Belisarius* had there left three thousand of his best men, commanded by *Diogenes*, one of his Life-guard, a discreet man, and a good Souldier, who so ordered his matters, that the Siege was drawn out in length, for he diligently attended his Guards, valiantly repelled the many Assaults of the *Goths*, and by sowing Corn within the Walls, prevented want of Victual, which they cut off from the City, now blockt up by their continuing Masters of *Portus*. Had *Justinian* upon *Belisarius* his return sent another General with an Army, as he gave out he would, he might possibly have vanquisht the *Goths*, *Rome* being in his obedience, and he having there an Army to join with his Succours from *Constantinople*; but though he commanded once *Liberius*, a Patritian, to be in readiness, afterward he grew remiss, and cooled again. Therefore *Diogenes* having no relief, after a long time spent in the Siege, some *Isaurians* that watched at St. *Paul's* Gate discontented for their pay which had been wanting many years, and seeing the advancement of their Countrymen, who had formerly betrayed *Rome* to the *Goths*, came to a secret conference with *Totilas*, and agreed at a day assigned, to betray the City to him. He sent some Trumpeters to sound at another part of the Walls, which amazing the Defendants, when they ran to the succour of that part, he at St. *Paul's* Gate was received in with his whole Army. Much slaughter there was in the City; and such as ran out at other Gates in their way to the *Centumcellæ*, the onely Fortress the *Romans* had thereabouts, were cut in pieces by Ambushes laid beforehand for that purpose: some few hardly escaped, and *Diogenes* amongst them; but not without having received an hurt. Yet *Paulus* a *Cilician*, formerly Steward of *Belisarius* his Houshold, afterward a Commander of a Party of Horse, and now joined in Commission with *Diogenes* in the defence of *Rome*, with four hundred Horse made for *Adrian's* Tomb, and possessed himself of the Bridge leading to St. *Peter's* Church. He and his men valiantly repulsed the conquering and insulting Enemy; and when they had no Provisions left, and *Totilas* was resolved to starve them out, determined by charging the Enemy in a sudden sally to end their lives honourably, and by killing as many *Goths* as possible, to sell them at as dear a rate as they could.

Totilas again takes Rome.

180. For a confirmation and seal of such an agreement, they imbraced and kissed one another, as being all ready to perish; whereof, when *Totilas* was advertised, fearing what might be the effects of such a desperate Resolution, he sent, and offered them either to quit their Horses and Arms, and swearing never to serve more against the *Goths*, to return to *Constantinople*; or retaining their former Estates, Wealth and Privileges, to serve in his Army, in equal condition with the *Goths*. Though at first they chose to go to *Constantinople*, yet afterward fearing Ambushes, ashamed to travell on foot, and angry for want of pay, they gave their Names to the service of *Totilas*; onely *Paul*, and one *Minde* an *Isaurian*, desired to be sent into their own Countries; and *Totilas* commending them for fidelity and plain dealing, gave them Provisions for their Journey and save conduct. The rest of the Army having taken sanctuary in Churches, and being in number about three hundred, upon assurance of Indemnity yielded to *Totilas*. He now resolved neither to quit *Rome*, nor demolish any Part of it; but replant it with *Goths* and *Romans* together, and that upon this occasion. He had lately asked in marriage the Daughter of the King of the *Franks*, who rejected his motion for this Reason, That he neither was, nor ever would be King of *Italy*, having indeed taken *Rome*, but not being able to keep it, because he had demolished part of it, and quitted the rest to his Enemies. Now therefore he brought in Provisions, and commanded to re-edifie what he had formerly broken down, sent for the Senatours, and other, *Romans*, confined to *Campania*; held the solemnity of the *Circensian* Games, and then prepared for a Voiage into *Sicily*. Yet he sent and desired Truce of the Emperour, offering that

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the *Goths* should serve him in his Wars against any other Nation. But *Justinian* suffered not the Ambassadour to come to his presence, and utterly rejected the Proposition. Which having understood, he first thought fit to attempt *Centumcellæ*, and then having made master of it, to prosecute his intended Voiage into *Sicily*. But coming to treat with *Diogenes* the Governour, and finding the Garrison reasonably strong, he was content, that according to their motion they should send to the Emperour for Relief; and if none came, then to surrender the Town by a day prefixed; and thirty Hostages were given on both sides. Raising then his Siege, he went for *Sicily*; in his passage attempted *Rhegium*, which holding out stoutly, he blockt it up with part of his Army, hoping to starve them out. He sent Forces also, and took the Castle of *Tarentum*. And at the same time *Ariminum* was betrayed to some of the *Goths* lying in *Picenia*.

181. *Justinian* moved at this his Success, named *Germanus*, his Brother's Son, General in the War with absolute Authority, and commanded him to be in readiness; at the report whereof the *Goths* were troubled, *Germanus* having a great Name in the World, and the *Roman* Souldiers were much incouraged. But the Emperour, for what reason is uncertain, changed his mind, and appointed *Liberius*, a Citizen of *Rome*, for the service; who accordingly made himself ready, expecting instantly to sail away. But afterward *Justinian* again changed his Resolution as to sending him with a Land Army, and the Affairs of *Italy* were neglected, where also about this same time, *Verus* having headed many of the most valiant *Roman* Souldiers, was after much loss defeated and slain. Now also a Party of some three thousand *Sclavi* passing the *Danube*, and the River of *Hebrus*, parted into two Companies, and did much mischief, defeating several of the *Roman* Commanders in *Thrace* and *Illyrium*, although they overmatched them in numbers. *Asbadus*, one of them, they took Prisoner, and burnt alive, having first cut thongs from the Skin of his Back. Though never before they had passed the *Danube*, nor foraged the *Roman* Provinces, now they pillaged and wasted all without controll, and took in *Thrace* and *Illyrium* many Castles, piercing as far as *Topserum*, twelve days journey from *Constantinople*, being the first Sea-town of that part of *Thrace*. Coming before this Town, most of them hid themselves in the Fastnesses adjoining. Some few of them alarm'd the *Romans* within, who thinking them no more than they saw, sallied out upon them, at which the Barbarians seemed afraid, and ran away: But the *Romans* being drawn far from the Walls, the Ambushes rose, those that fled, now turned head, and charging them on all sides, cut them in pieces. Notwithstanding, the Inhabitants thus deprived of the Souldiers assistence, refused to yield, and resisted the Assailants as they could, powring down upon them boiling Oil and Pitch, and casting down great Stones, by which means they seemed for a while to prevail and resist the danger. But the Barbarians at length with showrs of Arrows forced them from the Battlements, and with their Scaling-ladders took the City by assault. Fifteen thousand men they killed in it, and having sackt it, made the Women and Children Slaves, contrary to their former practice; for they had spared neither Sex nor Age, but killed all they met with since their first entring the *Roman* Territories. Hence came it to pass that all *Thrace* and *Illyrium* were scattered with dead Bodies. They used no compendious way to send them out of this miserable World. They killed them not with Swords or Lances, as was the usual manner; but pitching Stakes into the Ground with sharp ends upward, set the poor Wretches upon them at their Fundaments; then forced them downwards, and the Stakes up into their Entrails. Having also tied the Hands and Feet of their Prisoners to four Stakes, they knockt them on the Head with Clubs, and killed them like so many Dogs or Snakes. Others having shut up with such Cattle as they could not drive into their own Countrey, they burned together without mercy. At last, drunk with Bloud, they were pleased to keep alive all they met, and both Parties returned home loaded with Wealth, and inriched with innumerable Captives.

Justinian neglects *Italy*.

The *Sclavi* make great Devastations.

Asbadus Hist. *Bede, celer Nuncius*, A swift Messenger. *Pro Bede pessa irrepsit Francicum Messenger. Sed est bodie in usu apud Belgas. Viator enim pabulum dicitur Em Bode.*

They take *Topserum* by assault.

Their Cruelty.

Totilas wastes *Sicily*.

182. In the mean time *Totilas* wasted *Sycily*, having attempted *Messina* to no purpose. *Thurincuth* and *Himerius* having gallantly demeaned themselves in *Rhegium*, when all their Victual was spent, yielded themselves and the Castle by composition. The Emperour at the news of these Successes, having revoked his Commission to *Liberius*, who was an extreme old man, and no Souldier, sent *Artabanes* for *Sicily*, remitting his Crimes, and making him General of the Forces in *Thrace*. His Nephew *Germanus* he now constituted General against the *Goths*, giving him no great Army, but money to raise one of good importance in *Thrace* and *Illyrium*; whence he ordered him to march for *Italy*, accompanied with *Philimuth*, Captain of the *Heruli*, and *John* the Nephew of *Vitalianus*, his Son-in-law, and General of *Illyrium*, where he

Justinian makes his Nephew *Germanus* General against the *Goths*.

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he resided. *Germanus* had a great ambition to add the glory of recovering *Italy* to his former Reputation got in *Africk*, which he thought he might the more easily effect by means of *Mattasuntha*, the Daughter of *Amalasuntha*, and Grandaughter of *Theodorich*, whom after the decease of *Passara*, his former Wife, he had married, she being also now a Widow; for *Vitigis*, her former Husband, was lately dead. He more than hoped that the *Goths* would be ashamed to lift up their hands against this Lady, out of respect to the memory of her Progenitors. To this Incouragement was added a great confidence he had in the strength and affection of his Souldiers. For being very liberal in disbursing, not onely the Emperour's Treasure, but his own private Money, he levied quickly and unexpectedly a very gallant Army. The best *Roman* Souldiers left their ordinary Commanders to follow him, though of sundry Nations. Nay, the very Barbarians about the *Danube*, allured by his Fame, joined with him, and that not empty handed, but bringing with them good store of Money. The Prince of the *Lombards*, particularly, ingaged to send him a thousand men well armed. Now Report, as in all humane things else, making all this much more

who are thereat discouraged.

in *Italy*, the *Goths* were much afraid and troubled, especially considering they were to make war against the Posterity of *Theodorich*. The *Roman* Souldiers there, to his farther content, sent him word they were ready to join with him; and taking courage, resolved to keep their Towns for the Emperour's service; nay, those that were beaten in the defeat of *Verus*, and now straigled up and down, hearing that *Germanus* was upon his way, rallied in *Ilyria*, and expected his coming. *Diogenes* also being summoned by *Totilas* to surrender *Centum cellæ* according to their Capitulation, answered, that now that *Germanus* was declared absolute General, he had no power; but he desired him to send him back his Hostages, and he would restore those given him by the *Goths*. So he carefully guarded the Town, expecting *Germanus* with his Army. And thus ended the Winter, together with the fifteenth year of the War, written by *Procopius*.

183. But more than all this, *Germanus* had a farther incouragement and Omen, as it might well be esteemed, of his future Success, while he was yet drawing his Army together, and exercising his Troops at *Sardice*, a City of *Illyrium*. For a number of *Sclavi*, greater than ever formerly had passed *Ister* (or the *Danube*) foraged the *Roman* Territories as far as *Naysum*; but hearing that he was appointed to oppose their Designs of sacking *Thessalonica*, and the Towns about it; and having formerly understood what, in the days of *Justinus*, his Great Uncle, he had done against the *Antians* their Neighbours (whom he so totally defeated in an Invasion they had made, that he scarcely left one of them alive) and supposing him to have a very great Army, as being sent against the *Goths*, they relinquished their former Purposes, and departed over the Mountains of *Illyrium* into *Dalmatia*, not daring to appear in the Champian; so that he despising them, ordered his Army to be in readiness within three days to begin the Journey into *Italy*. But here see the lubricity of humane hopes, prosperity and greatness, with the potent fate of the *Roman* Empire now in her decrepit Age. He suddenly fell into a sickness and died, both a vertuous and valiant man, an excellent General, and a daring Souldier. In peace and quietness an earnest Observer of Laws and good Government; an upright Judge, and so charitable, that he often lent great sums without so much as talking of a penny Interest. In the Palace and *Forum* he was severe and grave; but at home and at his Table pleasant, free and obliging: preventing, as much as in him lay, all disorders at Court, and never ingaging himself in any of the Factions of *Constantinople*: a thing too much practised by other great ones. The Emperour much afflicted with this sudden Accident, commanded *Justin*, one of the Sons, and *John*, the Son-in-law of *Germanus*, to lead the Army into *Italy*; who, forasmuch as it was not possible in that season to compass the *Adriatick* Gulf; and wanting Ships wherewith to cross it, marched into *Dalmatia*, with intention to winter at *Salonæ*.

Germanus dies.

His Commendation.

184. *Liberius*, who, as it seems, had heard nothing of the Emperour's change of mind, nor these Alterations, with the Fleet under his command put in at *Syracuse*, now besieged by the Enemy, and forcing his way into the Haven, got his Army into the City. *Artabanes* making towards him through the *Adriatick* Sea, near the Coast of *Calabria*, met with a great Tempest, which scattered his Fleet, and overset some of his Ships, that wherein he was imbarked spent also her main Mast; and being abandoned to the Wind and Waves, after much danger, drove to the Island of *Malta*, by which means he was unexpectedly preserved. *Liberius* within a small time not able to fight with the Enemy, and starved out of *Syracuse*, stole thence into *Panormus*. *Totilas* in the mean while ransackt all *Sicily*; and having got much Pillage, departed back into *Italy*, leaving four strong Garrisons in the

Sect. 1. Island, thereto perswaded by one *Sapitius* a *Roman* of *Spoletum* and his Assessour, who being taken Prisoner by his Countreymen, they refused to dismiss him upon other terms, than that he should perswade the *Gothick* King to his Retreat; which he easily did, by frighting him with the approach of *John* and *Justinian* with a great Army. Those two Commanders intended, by the beginning of the Spring, to march from *Salonæ* by Land to *Ravenna*, when the *Sclavi*, both those who formerly foraged the Empire, and others, spoiled again with all liberty the *Roman* Provinces, whether hired by *Totilas*, to divert the Emperour from the *Gothick* War, as some suspected, or otherwise led by a desire of booty, and their own inclination to a Ravenous kind of life. They divided themselves into three Parties, and were now grown to that height of Confidence, that they sacked not the Cities, but Wintred in them as in their own, without all fear or suspicion. The Emperour with the latest sent an Army against them, Commanded by *Scolasticus* an Eunuch of his Palace, which met with one party of them near *Adrianople*, a City Situate in the heart of *Thrace*, and five days Journey from *Constantinople*. The *Sclavi* loaded with booty, declined the fight, and incamped upon a Mountain, where the *Romans* besieged them, till the Souldiers murmured at their Commanders for want of Provisions, and delayed to ingage the Enemy. But being at length forced to ingage, the Battel was hotly fought, and the *Romans* were beaten; many of their best men slain, and the Commanders themselves escaped narrowly, the Ensign of *Constantianus*, one of them, being taken in the Field. Now the Barbarians despising the *Roman* Arms proceeded in their course, and wasted the Countrey called *Asiica*, which having never formerly been touched, afforded them good store of booty. They ranged up the Countrey as far as the Long Walls, but one days Journey from *Constantinople*, but provoked the *Romans* to so great an height of Indignation thereby, that afterward part of them they routed, after much slaughter, rescued great numbers of Captives, and recovered the Ensign of *Constantianus*. The rest of the *Sclavi*, with the remainder of their booty departed home.

The *Sclavi* again waste the *Roman* Provinces.

185. *John* the Sisters Son of *Vitalianus*, and Son in Law to the late *Germanus*, as was before hinted, past that Winter in *Salonæ*, with which the sixteenth year of the *Gothick* War received its period. The Commanders in *Italy* expecting daily his coming, forbare all Action, and when in the Spring following, he resolved to lead his Army against *Totilas*, he was countermanded by the Emperour, who ordained him to expect the coming of *Narses* the Eunuch, whom he had made Captain General, with full authority in the War. Thus did *Justinian* by changing so often his Resolutions, much hinder the progress of his own affairs, for *Narses* his march was but slow, being opposed by some *Hunnes* in his passage, so that *John* might expect long enough, as he was Commanded, and be sufficiently wearied with expectation. Therefore shall we leave him for the present at *Salonæ*, and giving time to *Narses* to make his expedition into *Italy*, return again and visit *Chosroes*, to see how he has behaved himself all this while, and what use he made of his ignominious Retreat into *Persia*, beginning where we left at the time of the Plague, and the return of *Belisarius* to *Constantinople*. We shall find him marcht Northward to *Ardabigara*, a Town in *Assyria*, and there repenting what he had formerly done, with purpose thence to invade the *Roman* Territories again, having incouragement, it seems, from the Oracle of this place; for here was a great *Pyræum* where the *Magi* kept a perpetual fire, which the *Persians* worshipped above all Gods, offering much Sacrifice, and consulting it after their manner, in their affairs of greatest Importance. But when he thought of War, he changed his Resolution, hearing of two Ambassadours sent from the Emperour to treat of Peace, of whom *Constantianus* fell sick by the way, and the Plague at length came into *Persia*. This put him upon a necessity of desiring an Accommodation, and he accordingly sent to *Valerianus*, praying that all hostility might be forborn, and the Ambassadours dispatched away. But the *Romans* knowing well enough that his difficulties and straits were their advantage, and hearing moreover that his Son conspired against him, by order from the Emperour invaded *Persarmenia*, with an Army of thirty thousand men. Coming into *Dubis*, a territory eight days Journey from *Theodosiopolis*, there in a Village seated in a narrow passage of a ragged Mountain, *Nabades* had fortified himself, who, with four thousand men laid in Ambush, first put the *Roman* Army into Confusion, and then drawing out his whole power, routed them, and made them all run away. The *Persians* could not believe them so egregious Cowards, but suspected some Ambushes, so that driving them out of the Fastnesses, they then turned head, not daring with a few to encounter so many in a Plain. But the *Romans*, (and especially the Commanders,) thinking the Enemy still pursuing, ran

Justinian by often changing his Resolutions, much indamages his own Affairs.

Protop. de bell. Goth. lib. 4.

Redeund. ad paragr. 143. hujus cap. Sect. 1.

Procop. de bell. Persico, lib. 2.

The *Romans* invading *Persarmenia* shamefully beaten.

ran without intermission, urging their Horses both with Whip and Voice, and casting away their Arms in fear and haste. In a word, such a disaster the *Romans* had not formerly felt, and such a running away it was, that scarce an Horse overlived it, but died Hartbroken as soon as the course was ended. Many were slain, more taken Prisoners and made slaves, and so great a quantity of Arms and Baggage was left, that the State of *Persia* rich before, appeared much richer by this victory. But such are the effects of the equal power of many Generals, and the licentiousness and negligence of an Army. For, the Commanders taunted one another, were careless of fighting, and fearless of dangers, attending onely pillage and rifling. They marcht confusedly without discipline, nay without a watchword (as the usual custome is,) or distinction by any kind of order. The Souldiers not concerning themselves, where they found their Officers void of all care and circumspection, mingled with those that attended upon the Baggage, and marcht as to some great booty ready prepared for them; which in conclusion ended in such an entertainment as they had deserved.

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The effect of having many Commanders, and of disorder.

186. *Chosroes* incouraged by so unexpected good fortune, when he could least hope of any success, the next year invaded the *Roman* Territories the fourth time, making an Inrode into *Mesopotamia*. But this Expedition seemed not made against man, but God himself, and had an issue suitable to Irreligion and Impiety, though proceeding from a Paganish superstition. For in his first Invasion, when he retired from *Edessa* without having any thing performed, he and his *Magi* were much discontented to be overcome by the God of the Christians, whereupon he threatned and resolved, to make the *Edessenians* Slaves, and to turn their City into a Pasture for Cattel. Being now come before the place, and disappointed of his expectation at the first Onset, being also, as some thought, troubled with a dream, or apprehending the disgrace of missing *Edessa* twice, he thought presently of selling his Retreat to the Inhabitants for money. *Paul* his Interpreter, procured a conference, wherein all the money they had in the Town being demanded, they refused to buy their security at so dear a rate, and the Commissioners he commanded to be gone in great Anger. The eighth day then of the Siege, he began to raise a Mount, the Foundation of which was a square work of Trees cut down with the leaves on; over them was spread much Earth, and above lay stones in a rude unwrought manner, (his onely care being to raise the Mount speedily,) putting between the earth and stones, peices of Timber to fasten the Work, and make it stronger. The Defendants at first did the Workmen much damage, but afterwad the Guards were so strengthened, that none durst approach, and the *Persians*, by hanging upon Poles before the Labourers Clothes made of Goats hair, kept off both the fiery Darts and Arrows. The *Romans*, now afraid, sent Messengers to the King, and with them one *Stephanus* a famous Physician, who had formerly done a cure upon *Cabades*, and had got a great Estate by him. He upbraided him, though in civil expressions, of ingratitude towards himself, telling him that *Edessa* could least have expected such cruel usage at his hands, it being the place of his Nativity, who had formerly fostered him, and by counselling his Father to appoint him his Successour, had been a principal Authour to him of the Empire of *Persia*, and to his County of all those miseries it had undergone. Yet *Chosroes* flatly refused to rise from thence, till the *Romans* had delivered into his hands *Peter* and *Peranius* his Father's Slaves, who now presumed to bear Arms against him; or instead of this, paid him five hundred centenaries of Gold, or else would admit his Officers to search the City, and thence to bring him all the Gold and Silver they could find within it. This he spake at random, not caring what he said; for he expected with ease to take the Town. The Messengers finding his propositions impossible, returned much troubled. And the City, upon their report of his Demands, was filled with noise and lamentation.

Chosroes invades *Mesopotamia*.

He falls upon *Edessa*.

187. The Mount in the mean time rose to a great height, and went on apace. The besieged in great perplexity sent other Messengers becoming Sutors for the same things, but they were not regarded, but driven out of the *Persian* Camp with scorn and derision. Their way then they thought was to raise their Walls higher toward the Mount; but herein they were not able to keep pace with the *Persians*, and so gave it over. Then did they employ *Martinus*, (who with *Peter* and *Peranius*, two other *Roman* Commanders, lay in the Town,) to treat and conclude as well as he could for them; but the *Persians* onely amuzed him with fair words, to spend time till they could bring their Mount to perfection. In the mean while, the *Romans* drew a Mine to the Enemies work, and left not till they came under the middle of the Mount, where being discovered, the *Persians* cross-mined on both sides,

Sect. I. sides, to catch them in the middle. They perceived it, and there stopped up their Mine with Earth; then hard by made they a little hollow Room, where they laid dry Logs steeped in Cedar Oil and *Assyrian* Pitch. These Logs, when the *Persians* had sent back *Martinus*, and were falling to work, did they set on fire, which burnt part of the Mount, and when they were burnt out, and spread not to the whole, they supplied still the little Room with more. The smoak from the Mount appearing at Night, they prevented the discovery, by shooting small Vessels filled with burning Coals and fire Darts all over the Mount, and the *Persians* thinking the smoak came from them, ran to quench them. But the fire prevailing at length, they were undeceived, and pittyfully crying, were shot and killed from the Walls. *Chosroes* in the Morning discovered the matter, and they all cast on, some earth o- thers water, which abated the smoak there; but presently it brake out in another place more vehemently; the water also added force to the Sulphur and the *A-* *rian* Pitch, so that the fire prevailed over it, and about the Evening following, the smoak was so high, that it was seen at *Carræ*, and other neighbouring parts. Then followed several Skirmishes upon the Mount, wherein the *Romans* still had the better, till the flame rose so clearly, that it forced the *Persians* to abandon the Work.

188. *Chosroes* thus disappointed of his hopes from the Mount, kept himself quiet for five days, and then resolved to make an assault before it was light, to take the Enemy at advantage and surprize him. And his Design was not far from taking effect, for the *Romans* were all fast asleep, and the *Persians* set to their Ladders and were mounting, when in the nick of time, they were discovered by a Peasant who awakned the besieged. Then they opposed the Assailants with such vigour, that they drove them back to their Camp, and took up their Ladders they had left behind them. About Midnight, *Chosroes* had the same success at the Great Gate, from which he was repulsed, and as the *Romans* were giving the Chase, *Paul* the Interpreter put himself amongst them, and told them that *Recimer* was newly arrived, being sent Ambassadour from *Constantinople* about a Peace. And he had indeed been four days in the *Persian* Camp, but they concealed it from the besieged, expecting the event of their Attempts, which if they succeeded well, they resolved to come to no treaty at all; but in case they were beaten, as now they were, they thought they might come to it safely, the *Romans* having invited them. Upon demand of some to be sent out to treat with *Chosroes*, the besieged answered, they would within three days send *Martinus*, who at this time was sick; which delay, the King suspecting not to be sincere, prepared for War, and commanded good store of Bricks to be laid on the Mount. Then, after two days, did he with his Ladders and Engins begin another Storm, placing his Squadrons at every Gate, and behind them *Saracens*, who, when the Town was taken, should lay hold on such as ran away. The *Romans* not being aware of the Assault, and very few in comparison of the Assailants, at first seemed to have the worst, but what they wanted in numbers, they supplied in diligence, for none were idle, the men resisted Valiantly, the Peasants themselves did bravely, and the very Women and Children, together with Aged Persons, did their part, some bringing stones to the Combatants, and o- thers throwing down scalding Oil upon the Heads of the Enemy.

189. The *Persians* finding this opposition refused to fight any longer, yet *Chosroes* in a rage with threats and some violence brought them on again, and with shouts and Engins they began a new Assault, with such seeming alacrity, as if they would presently enter. But the Courage of the besieged again prevailed, who having repulsed *Chosroes* and his men, now hist at him, and dared him to a fresh Encounter, taking incouragement from some Sallies which had been made very successfully. The fight having lasted all the day, both sides passed the Night unquietly, the *Persians* being afraid of their Trenches, and the *Romans* providing stones and other things necessary against an Assault the next morning. Yet did not the Barbarians then come on, but the day following, a part of their Army animated by *Chosroes*, set upon one of the Gates, but were sent back again with disgrace to their Camp. Then did *Paul* the Interpreter call to the Walls for *Martinus* to treat an Accord, which being done, *Chosroes* received from the *Edessenians* fifty thousand Gold Staters, and subscribing the Articles, promised no more to infest the *Romans*, but setting his Palisadoes and other Works on fire, went home with his Army. About this time, *Justus* the Nephew of *Justinian*, and *Peranius* dying, the Emperour constituted *Marcellus* his Sisters Son, as yet but a youth, and *Constantianus* his Ambassadours to *Chosroes*, who having Audience in *Assyria* near *Seleucia* and *Ctesiphon*, they demanded restitution of places in *Lazica*, and a Ratification of the

He packs up and goes home.

Sect. I. the Peace. But the *Persian* alledged, that a Peace would hardly be good without a Truce first concluded, during which, by mutual concourse and Communication, they might better understand one another, and firmly determine the perpetual Peace, which he also affirmed the *Romans* must purchase with money, and farther send him one *Tribunus*, with whom by a certain day he would conclude the Business. This *Tribunus* was a Physician, who having cured *Chosroes* of a great Sickness, he was much his friend and very gratefull; The Emperour therefore sent him, and with him twenty thousand Staters of the money demanded. And so a Truce was concluded for five years, in the nineteenth year of *Justinian's* Reign, which was the eleventh of the *Gothick* War, at what time *Rome* was besieged by *Totila*, and *Belisarius* expected supplies from *Constantinople*, *A.D.* DXLV.

The Quinquennial Collation.

190. Shortly after, *Alamundarus* and *Arethas* had Wars with each other, without any assistence from either *Persians* or *Romans*. In an Inrode *Alamundarus* took a Son of *Arethas* Prisoner, and Sacrificed him to *Venus*. From him was discovered how *Arethas* sold the Emperour's Affairs to *Chosroes*. But *Chosroes* now rid of the War with the *Romans*, had his mind running upon *Lazica*, of which he had a great desire to make himself Master, and that with good reason, for the Countrey he truly apprehended would be of manyfold use to the Crown of *Persia*. First, it would keep the *Iberians* in perfect awe, who in case of a Revolt would then have none to fly to, as formerly they had upon all occasions. Then would it joyned to *Persia*, not onely keep the Provinces thereof free from the Inrodes and devastations of the *Hunnes* bordering upon it; but by this means, the King if he had a mind might oblige them to invade the *Roman* Territories, there being no Rampart against the Barbarians of Mount *Caucasus*, but onely *Lazica*. In conclusion, *Lazica* would advantage the *Persians* in a matter of no less moment than, by issuing from thence, to infest both by Land and Sea, the places upon the *Euxine*, to subdue *Cappadocia*, *Galatia* and *Bithynia*, and to surprize *Constantinople* it self, for there would be no sufficient Obstacle in their way. Upon these important Considerations, he desired to have *Lazica*, but was at a loss how to compass it, having no reason to have any confidence in the Nation. For the *Lazians* were not formerly so dissatisfied with the *Romans*, but they were much more discontented at the demeanour of their new Freinds the *Persians*, who of all men had least variety in their humours, their manner of Life being extremely strict, their Laws hard of digestion, and their commands intolerable. In reference to the *Lazians*, the difference appeared infinite, not onely in respect of humour and disposition, but Religion also. The *Lazians* were Christians, none more, but the *Persians* quite contrary. And another thing yet disordered them above measure. For no Salt being made in *Lazica*, nor Wine, nor other Native Commodities, all was Imported to them from the *Roman* Sea Coasts, not for money, but in exchange for Skins, and Slaves, or other things wherewith they abounded. From which being now barred, they were highly discontented. *Chosroes* being so quick as to perceive it, consulted upon some safe course for prevention, before they should stir for an alteration; and all considered, thought it most expedient to rid away *Gubazes* their King, to transport the Nation, and to plant their Countrey with *Persians* and others.

Redi ad Injus Sect. paragr. 20. ubi de Alamund. & Aretha.

Chosroes purposes to be Master of *Lazica*.

191. But that he might not be absolutely idle and wanting to his Interest on the *Roman* side, but strengthen himself in those parts as much as possible; he sent *Isdigunas* to *Constantinople*, ordering him under pretext of an Embassy, and the attendance of his Wife and two Daughters, with five hundred men to get into *Daras*; to set some Houses thereof on fire, which whilst the Inhabitants should be busie to quench, they should open the Gates, and receive in the Governour of *Nisibis*, who was ordered to be in readiness with Forces concealed thereabout. But the matter was revealed by a *Roman* fugitive, and *Isdigunas* failing in his Plot, proceeded on to *Constantinople*, where having access to the Emperour, he had little to say, but delivering Presents and Letters of Compliment, he was entertain'd with more grace, favour and charge, than ever Ambassadour had been known to be. For both him and his Interpreter *Justinian* admitted to his own Couch at Meat, whereas no man ever before, saw an Interpreter sit at table with the meanest Governour; And though he had no business, he was dismissed with more respect than ever any Ambassadour, his Charges and Presents coming to more than ten Centenaries of Gold. In the mean time, *Chosroes* driving on his Design for *Lazica*, sent thither much Ship Timber, giving out it was for Engins, to stand upon the Walls of *Petra*. Then sent he one *Fabricus* with three hundred chosen Men, and privately instructed to kill *Gubazes*, but he discovering his Errand to *Pharsanses*, then in some disgrace whom he expected to have an Assistant in the Work, he was so honest as to reveal the

Justinian lavish to his Ambassadour.

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the Treason to *Gubazes*, who stood upon his Guard, and reporting to *Justinian* the present State of his Affairs, begged his pardon for what was past, and his present assistence to shake the *Persian* Yoke from off his Shoulders. The Emperour was glad of the News, and sent him eight thousand men under Command of *Dagisthæus*.

Sends aid to *Lazica*.

192. These Forces joyned with the *Lazians*, and besieged *Petra*, which being Victualled held out a long time, against all their Assaults and Strategems. *Chosroes* much disordered at the News, sent to its relief a great Army of Horse and Foot, under the Conduct of *Mermeroes*, whereof *Gubazes* having notice, wrote to *Dagisthæus* to send Forces to stop the Passage beyond the *Phasis*, and not to raise the Siege till *Petra* was taken. He himself with his own Army marcht to the utmost borders of *Lazica*, to fortify the Passage there; and having hired some *Alans* and *Sabirians*, to help to Guard his Countrey, he wrote to the Emperour for money, alledging that he was also in arrear to himself for ten years, being inrolled a *Silentiary* of the Imperial Palace. *Justinian* at first purposed to gratify him, but the matter was put off, and the money delayed to be sent. And *Dagisthæus* being a young man, and unable to manage a *Persian* War, made no advantage of the opportunities which were offered him. For whereas he should have sent to the Passage most of his Army, and been himself present at the Action, he sent, as if the business had been slight, but two hundred men, and did nothing upon *Petra* with all his Forces, where the Enemy within being at first not fifteen hundred men, and continually shot and slain at the Assaults, after as much Valour as ever men shewed, were reduced to a very few, and those despairing and unable now lay still. Had he made right use of his Mine, and put in due time fire to the Supporters, the Town had been taken, but he dallied with hopes from the Emperour to whom he wrote, urging him for rewards of Victory, and appointing what he and his Brother should have after the taking of *Petra*. Nay, when part of the Wall was ruined, he neglected to enter the Town, but suffered himself to be amazed and fooled by *Mirranes* the Governour, who gave him fair words, and told him he would shortly surrender the Place. In the mean time, *Mermeroes* with loss of a thousand men, when the two hundred *Romans* weary of killing, had retired to the Mountains, entred the Passage; which *Dagisthæus* understanding, without giving any direction to the Army, gallopt away toward the River *Phasis*, (which first having the name of *Boas*, runs through the Countrey,) with all the *Romans* at his Heels. Leaving their Baggage for haste, the Garrison issued out and rifled it; but a thousand *Tzanians* who had followed *Dagisthæus* in the expedition but not in his flight, came in to the rescue, and having beaten them back, they themselves ransackt the *Roman* Camp. Which done, they went to *Rhizæum*, and thence returned home by *Athens*, (a populous Town Situate in the *Roman* borders,) and so by *Trapezond*.

The base flight of *Dagisthæus*.

193. The ninth day after the flight of *Dagisthæus*, *Mermeroes* with his Army came to *Petra*, where he found remaining of the *Persian* Garrison but three hundred and fifty men, whereof one hundred and fifty were onely found, the rest were wounded and unserviceable. Having hence occasion enough to scoff, as he did, at the demeanour of the *Romans*, he had also much cause to rejoyce and triumph at the Valour of his Countrey-men, whom he found so self-denying, and carefull of the interest of their Prince, that the survivours had not cast the Dead bodies from the Wall, but endured almost stifling with the stench, that the Enemy by seeing so many lost, might not be the more incouraged to fresh Assaults. The Walls he carefully repaired as well as he could, and wanting Lime and other Materials, he filled with Sand the linen Bags, wherein his men had brought their Provisions, and laying them instead of stones, made this serve for Walling. Then leaving three thousand men for a Garrison, not Victualled for any long time, with directions to proceed in the Repair of the Walls, he himself with the rest of the Army, returned homeward. For though he had forced the Passage beyond the *Phasis*, yet could he not incommode *Lazica*, being not able to cross the River without Ships, which is so deep and broad, and so swift, that it enters the Sea a good way, (at least it did in the days of *Procopius*,) unmingled with Salt water, Passengers taking up fresh there to their great convenience; besides the Ships and many Fortresses on this side made landing very difficult. Moreover *Justinian* had at last sent away the money promised to *Gubazes*, besides a good Army, under Conduct of *Recithangus* a *Thracian*, very wise and an excellent Souldier, though it was not yet arrived.

Mermeroes retires out of *Lazica*.

194. *Mermeroes* quitting *Lazica*, went into *Persarmenia*, and lay quiet in the Towns about *Dubis*. But having an eye still to *Petra*, which he knew was very meanly

meanly victualled, he left five thousand men with *Fabrozas* and other Commanders, who of the Provisions they could get were to transport the greatest part to *Petra*, and live upon the rest. These men incamped by the River *Phasis*, on the farthest Confines of *Lazica*, straggling about for booty; *Gubazes*, who was aware of it, sent for *Dagisthæus* to come up to him. He endeavoured it, marching with the *Phasis* on his left hand, till the *Lazians* understanding the River to be fordable, passed over and joined with him, neither the *Persians* nor *Romans* themselves knowing the Ford. Then did they jointly set upon a thousand men, whom the *Persians* had sent out as a flying Guard to prevent any infesting of their Camp, of whom none escaped, but most were slain, and the rest taken. Incouraged by this success, they proceeded farther; and learning the estate and condition of the main Body, unexpectedly fell upon them after midnight; and finding some asleep, some hardly awake and naked upon their Pallets, but all surprized and without a thought of fighting, killed most of them. Some they took, and some few escaped in the dark. But of their Camp they easily made themselves Masters, with all their Ensigns, much Arms and Baggage, besides a great number of Mules and Horses. Following the execution far into *Iberia*, they cut off several other *Persian* Troops they met with, and burnt a quantity of Meal and other Provisions which was on its way for relief of *Petra*. So leaving at the Passage some numbers of *Lazians* to block up all access with Provisions to *Petra*, they returned with all their Booty and Captives. And thus ended the fourth year after the *Quinquennial* Cessation, being the fifteenth of the *Gothick* War, wherein *Totilas* took *Rome* the second time, the twenty third of *Justinian*'s Reign. *A. D.* DXLIX.

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A great victory of the *Romans* and *Lazians* over the *Persians*.

195. The year following another *Persian* Army invaded *Lazica*, commanded by *Corianes* a *Persian*, and an experienced Commander, with whom joined also a number of *Alans*. They incamped in a Province called *Muchirisis*, lying upon the River *Phasis*, not navigable there, but passable by Men and Horses, and they intrencht to the right hand of it at some distance. Full often had the *Persians* invaded the *Roman* Territories under *Chosroes*, and done mischiefs not by any Pen to be expressed, yet they got little by it, but returned still with much loss, so that they murmured against their King, and stuck not to call him *the Ruiner of their Nation*. Once particularly coming home out of *Lazica*, and being fallen into some great extremities, they were ready to mutiny, and had slain him, if he had not foreseen and prevented it by gaining the Principal of them with fair words. Being therefore desirous to find some real Apology and a serious excuse, he had long beat his Head how he might notably advance the Interest of the *Persian* Empire. He attempted *Daras*, and failing in this Enterprise, as we shewed before, thought of taking some other *Roman* Town; but to doe any thing of moment within the Countrey, he judged it impossible, leaving so many strong Places at his back. For this reason he laid *Antioch* flat with the ground; and quitting the *Roman* Territories, his thoughts mounted after hopes farther off and full of difficulty. For hearing how the Barbarians, seated on the left hand of the *Euxine* Sea, about the Lake of *Mæotis*, did without controll waste and overrun the *Roman* Provinces, he thought why might not he, having *Lazica* in his hands, without crossing any Sea, make his Inroads as far as *Constantinople*? This made him so restless to become Master of *Lazica*, as we hinted before.

Procop. de Bell. Goth. l. 4.

Corianes sent by *Chosroes*.

196. *Corianes* with his Army removed to the River *Hippis*, whence it was resolved by *Gubazes* and *Dagisthæus* to fall upon him, to give a demonstration of their courage, and abate the spirit of the Enemy. The *Lazians* were frollick and confident out of measure, disdaining that the *Romans* should shew themselves equally valiant, the stake being theirs for which they were to strive, their Lives, Fortunes, Wives and Children being all ingaged. Yet when they, marching before, came to charge the Avant Courriers of the Enemy, they fairly gave back and retired to the *Roman* Horse, who renewed the charge, and forced the *Persians* to retire and expect the coming of the rest of the Army. Then came up the Infantry both of *Gubazes* and *Dagisthæus*, and joining with the Horse came to handy-blows. But the *Roman* Horse proving too weak for the *Persian* Cavalry, order was given for both *Lazians* and *Romans* to alight, and with the Foot they stood in a deep battalion opposite to the Enemy, and charged with their Lances. This pusled the *Persians*, who could not grapple with their Enemies now on foot, nor break their battalion, their Horses flying back, disordered by the heads of the Lances and noise of the Targets. They resolved therefore to try if they could break them by showres of Arrows, whereupon the *Romans* and *Lazians* let fly thick again upon them, and many were slain on both sides; the *Persians* and *Alans* discharging oftner, but their Arrows for the most part re-

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Is slain, and his Army overthrown.

bounding from the *Roman* Shields. At length *Corianes* the *Persian* General was slain by a shot in the Neck, and his death swayed the Victory to the opposite Party; for he falling from his Horse, his men presently ran away to their Camp with the Enemy at their heels, who thought to take it at the first Assault. But an *Alan*, a strong and lusty Fellow, and very dextrous in shooting, put himself into the narrowest entrance into the Trenches, and stopt the Invaders a long time, untill *John Guzes*, a valiant *Roman* Officer, killed him with his Lance, and then was the Camp speedily taken. Many *Persians* were cut off as well here as in the Fight, and the rest returned home as they could: such being the success of this *Persian* Invasion of *Lazica*. After which another Army came, and victualling the Garrison in *Petra*, retired without more adoe.

197. In the mean time, whilst *Dagisthæus* was thus employed against the *Persians*, the *Lazians* at *Constantinople* accused him of Treachery, and favouring their Enemies in the management of the Affair at *Petra*; the business of the Mines, and the Fortification by Sacksfull of Sand, being all ript up. Hereupon he was by the Emperour's Order confined to his House, and *Bessas*, lately come out of *Italy*, was made General of *Armenia*, with instructions to command the Army in *Lazica*, sent thither before under conduct of *Venilus* and others. *Nabdes* the *Persian* coming again into *Lazica*, drew the *Abasgians* to revolt from the *Lazians* and *Romans*. For being tired out with the incroachments and oppressions of the *Roman* Garrisons, after they had deposed their Kings, they grew desperate, and chose rather to resume their former condition, though bad, than fall into absolute slavery; and fearing still worse and worse, set up Kings again, and revolted secretly to the *Persian*. *Justinian* smelling it out, commanded *Bessas* to march against them, who sent a choice Party of his Army under *Uligangus* and *John Guzes*, by which their chiefest Fort was taken, and after much slaughter they were reduced to obedience; as also were the *Apsilians*, who having been anciently subject to the *Lazians*, had also of late revolted. Whilst the Affairs of *Chosroes* succeeded not very well in *Lazica*, they were in a worse condition at home, by means of his eldest Son *Anasozadus* (which in the *Persian* Language signified *Immortal*) who made no scruple to lie with his Father's Wives; and afterwards, being confined to *Lapatos*, a City seven days journey from *Ctesiphon*, upon report of his Father's death, usurped; and though his Father recovered, put the City into a Revolt, and eagerly pursued the War. Indeed *Chosroes* was dangerously sick, being ever of a fickle constitution, which made him keep Physicians by him of all Countries, and amongst others, one *Tribunus* of *Palestine*, a man inferior to none of his time, and beside that, both a wise, and a very good and conscientious man. He had cured the King formerly, and came loaded home with Presents; again at the *Quinquennial* Cessation, the *Persian* begged of *Justinian* that he might have him with him for one year, which being ended, *Chosroes* bad him ask whatsoever he would, whereupon instead of Wealth he asked the liberty of some *Roman* Captives. He got free'd three thousand men, besides some of quality, whom he demanded by name; and by this Act of Generosity obtained a great Reputation amongst all sorts of People. But *Chosroes* sent those who overthrew his Son in battel, and taking him Prisoner, brought him to his Presence. He to prevent any farther effects of his Ambition, blemished the young Man's Eyes, not by taking away the sight, but by distorting the Eye-lids into much uglinesse, with hot Irons applied to their outsides, being shut. Hereby he cut off his hopes to the Kingdom, the Law not permitting any blemished man to be King of *Persia*.

Bessas ordered to command in *Lazica*.

The *Abasgians* and *Apsilians* reduced.

The Son of *Chosroes* usurps.

Whom by blemishing his Eyes he makes incapable of the Kingdom.

198. Now was the fifth year of the *Quinquennial* Cessation expired, of which *Justinian* being aware, sent to *Chosroes* to conclude an absolute and lasting Peace for the East. *Chosroes* put him off, saying he would send some of his own to *Constantinople* to doe it; and he sent indeed *Isdigunas*, that insolent and impudent *Persian*, concerning whom it's hard to say, whether he was more ridiculous for his pride and humour, or the Emperour for the unfitting and extravagant honours he heaped upon him. As for *Badicius* his Interpreter he came not now with him, and some said his King had put him to death for presuming to sit at Table with *Justinian*, who, he concluded, would not have admitted an Interpreter to such an honour upon any account below the betraying of his Master's business. But *Isdigunas* coming to his Audience, said not one word of Peace, but complained that *Arethas*, and other *Saracen* Confederates of the Empire, had, during the Cessation, committed spoils upon *Alamundarus*, with other frivolous things, and of small importance. In the mean time *Bessas* fits down before *Petra* with his whole Army, where the Garrison had so plied their business, that after the Retreat of *Dagisthæus*, by stones and beams of wood, they had made a pretty good foundation where the Wall was formerly ruined,

ruined, so that the Assailants found great difficulty to assault the Town, because they could no more Mine, neither could they bring the Ram to the Wall, the Place being steep, and the Ram not to be drawn but on even ground. In this strait, when they saw the *Romans* despairing, three Princes of the *Sabirian Hunnes*, who being sent to receive the Pension paid them by the Emperour, were now at the Siege, devised such an Engine, as never formerly had been thought of by either *Persians* or *Romans*, though they had excellent Artists. Time ever progeeding with the wit of Man to new Inventions.

Sect. 1.

A new sort of Ram.

199. In forming this new sort of Ram they used no Timbers upright, nor lying across, but instead of them small Poles tied and fitted together. Yet had it the perfect form of an ordinary Ram; and in the midst was placed the usual Beam, with a top headed with Iron to batter the Walls. The whole Engine was covered with Hides, and was so light, that it needed neither Men nor Cattle to draw it, onely forty Souldiers within it, and covered with the Hides, carried it with ease upon their Shoulders, wound up the Ram, and let it fall against the Walls. On either side stood men well armed with long Poles in their hands, topt with great Iron hooks to pull off the stones which were loosened and unjointed by the strokes of the Engine. The *Romans*, in making trial of this new device, did great execution, and the Town was at the point of being taken, when the *Persians* from a wooden Tower, provided beforehand, cast down Vessels upon their heads full of Sulphur, Babylonian Pitch and Naptha, a Drug used by the *Persians*, which the *Greeks* called *Medean* Oil. These Vessels failed little of burning the Rams, which were onely preserved by the men with the long Poles, who cleared still the fire away, but long they could not be able to doe it, the flame raging so vehemently, that where it toucht, it instantly took, if not as speedily put off. *Bessas* therefore caused Scaling-ladders to be set to a certain part of the Wall, which by Mining was sunk, but stood upright as if it had been set with an Engine; and using the best sort of exhortation, which was the example of his own valour, being an old man past seventy years of age, first mounted the Ladder. Never was a Fight more valiantly fought on both sides, the *Persians* being two thousand three hundred men, and the *Roman* Army about six thousand. *Bessas* himself fell from the Ladder, whereat was made a great shout by the *Persians*, who from all parts shot at him; but he was protected by the Targets of his Lanciers, that by his order dragged him away by the wheels (that so they might best cover him) till coming out of shot into a safe place, up he rose, encouraged his men, and gave on again, mounting the Ladder the second time. The *Romans* following him, and doing very valiantly, the *Persians* demanded time to quit the place; but he suspecting it was craftily propounded to fortify the Wall, refused to stop the Fight, but offered to treat at another part of the Wall, while the Armies fought. The motion being not entertained, the Fight was hotly pursued with equal success, untill the arrival of several ill Accidents on the *Persian* Part.

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Sect. 1. Walls of *Petra*, that no more trouble might arise from it, which *Justinian* much approved, and commended him both for his Valour and good Conduct. After his ill fortune, or rather, his ill administration at *Rome*, and an apparent ruine of the *Roman* Interest, yet at his return to *Constantinople*, the Emperour made him General against the *Persians*, to the wonder and derision of the World, which flouted *Justinian*'s Resolution herein, in committing the *Persian* War to an old man who had had one foot long in the grave, and been lately so grosly beaten by the *Goths* in *Italy*. Yet notwithstanding did *Bessas* shew that valour, and found the good fortune we have now mentioned. So are humane Affairs determined, (saith *Procopius*) not as men imagine, but as God himself swayeth the Balance. And this they call Fortune, finding matters succeed in a way and Method by them not discerned; and so attributing a Name of Fortune to things which are above their own reach and Reason.

His Avarice spoils all again.

201. *Bessas*, as appears from this Action at *Petra*, wanted not Courage nor Conduct; neither yet was he void of a fault familiar to old Men, and that vice which the continual prospect of the Grave can hardly mortifie. This was his Avarice, by which formerly he had lost *Rome*, and whereby he again ruined that Interest, which of late he had so notably advanced. For if after his victory he had made haste to fortifie the Passages from *Iberia* to *Lazica*, the *Persians* had not entred this Countrey, but he retired into *Pontus* and *Armenia* his Government, intending to toil himself no more, but get what he could by his place, and so as good as delivered *Lazica* to the Enemy by his neglect and carelesness of the Emperour's Indignation, who indeed was wont to connive much at the errours of his chief Ministers, whence followed many great faults, both in the courses of their Lives, and of their Governments. *Mermeroes* in the mean time, afraid of *Petra*, as soon as the season of the year would permit, was on his way with an Army thither, but hearing what had happened, he staid his Journey, and passing over the *Phasis*, because the *Lazians* had no Towns but *Petra* on that side the River, he led on toward *Archæopolis*, the chief City of the Countrey. *Bessas* had left in *Lazica* Twelve thousand men, whereof Three thousand lay in *Archæopolis*, with *Odonachus* and *Babas*, two expert Commanders; the rest incamped near the *Phasis*, with intention to succour any place where the Enemy should fall, and were commanded by *Bonilus* and *Uligangus*; beside, Eight hundred *Tzanians* were brought hither out of *Italy* by *Varazes* the *Persarmenian*. *Mermeroes* therefore for fear the *Roman* Army at his back, which quartered upon the *Phasis*, would not sit down before *Archæopolis*, went toward them first; which the Commanders hearing, and finding themselves too weak, got them aboard their Barks, and having carried with them what Baggage they could, cast the rest into the River. *Mermeroes* arriving shortly after, was much out of humour, to find never a man in the *Roman* Camp, which having burnt in much wrath, he returned to *Archæopolis*, and set all his wits on work how to assault the City.

202. He made use of the same Ram which the *Sabirian Hunnes* had invented for *Bessas* at *Petra*, having many of this mercenary Nation now in his Army. This was for the plain ground; and against the rocky part of the City he set the *Dolomites*, a People dwelling in the midst of *Persia*, among unaccessible Mountains, and therefore not subject to the *Persian*, but free; onely in his Wars they were wont to serve him for Wages, being all Foot-men, with Sword and Buckler, and two Javelins, and as nimble to climb Rocks, and run along by the sides of Mountains as on the plain ground it self. By the Rams on one side to which *Mermeroes* joined his Elephants, (which he used as Towers to shoot on) and these *Dolomites* on the other, the besieged were sore distressed in making good the Walls. *Odonachus* and *Babas* in their extremity advised them to make a Sally, as the onely possible means of freeing themselves, for though they might one day have the better from the Battlements, they should gain nothing, the danger being renewed as fresh as ever the day following, and so they must perish by little and little, and loose at last what they had defended to small purpose. *Mermeroes* before this had hired a certain Townsman to set the City Stores on fire, of which they had an inckling, and therefore left a sufficient number in the Town, to prevent this mischief, in case it should be attempted. And the man did indeed set fire to the Stores, but it was timely quenched, without much damage; and those who sallied terrified the Enemy by the suddenness of the Enterprise, who suspected no such matter from so few Defendants, but were all in disorder, and scattered about as upon an Assault, some having the Rams upon their shoulders, and without their Arms.

203. Here

Sect. 1.

203. Here *Procopius* makes it a matter of wonder, that the *Romans* knowing so well the means of resisting; and rendring Elephants useless, did not at all apply themselves to that course, being confounded it seems by their urgent business; the thing was this. When *Chosroes* besieged *Edessa*, an Elephant was brought close to the Walls, with many of the most gallant *Persians* upon him, where standing like a Tower, and the shot being made directly from him upon the Defendants heads, the taking of the Town was certainly expected. But the *Romans* avoided the danger, onely by hanging out an Hog from the Bulwark, which with his squeaking noise so scared the Elephant, that he turned about, and would not be kept to his Station, by all the skill his Governours could use. This was now omitted by them, but the best of it was, their good fortune supplied their forgetfulness or negligence, for one of those Elephants now employed, either wounded or otherwise starting, flew back, cast his Riders, brake the Ranks, and drove the *Persians* backward, while the *Romans* securely cut down all in their way. The *Persians* were by those means so disordered, that they in the Rere, seeing the confusion of those in the Van, ran away for fear. Nay the *Dolomites*, who being upon high ground saw all, ran away as shamefully as the rest, and the Overthrow was now clear, four thousand of *Mermeroes* his men being killed, with three principal Officers, and four Ensigns taken which were sent to *Constantinople*. And two thousand Horses they lost, either slain in the Battel, starved or heart-broken. *Mermeroes* being thus Defeated at *Archæopolis*, however continued Master of the Field, and led his Army a days Journey off into the Province *Muchirisis* a plentifull Countrey, with intention to re-edify an old City or Castle called *Cotæsis*, or *Cotæsum*, moreover to cut off Provisions from *Uthimerium*, a strong Fort guarded by *Lazians*, with some *Roman* Souldiers intermingled, and to hinder their march into the Countries of *Suania* and *Seymnia*, subject to the *Persians*; an Army in *Muchirisis* stopping easily the passage into these Countries. Such were the Successes of the Armies in *Lazica*.

How to fright an Elephant.

Mermeroes defeated. Yet is Master of the Field.

204. In the mean time *Isdigunas* the *Persian* Ambassadour, had many Conferences with the Emperour at *Constantinople*, concerning a Peace. After a long time spent in disputes, at last they came to this Agreement. That in the Empire, and proper Dominions of *Persia*, there should be a Cessation of Arms for five years, during which, endeavours on both sides should be used to compose the Differences, concerning *Lazica* and the *Saracens*. That for this Cessation, the *Romans* should pay to the *Persians* twenty Centenaries of Gold, besides six Centenaries more for the eighteen Months, passed betwixt the end of the *Quinquennial* Cessation, and their sending Ambassadours to each other; the *Persians* pleading that upon that Condition, they yielded to a conference about a Truce. The Emperour would have paid them by four Centenaries every year, and given caution for so doing; but *Isdigunas* insisted upon present payment, and in the end, he prevailed to have the whole Sum paid down, the *Romans* yeilding to it, that they might not seem to pay a yearly Tribute to the Crown of *Persia*. Thus are men more sensible of the dishonour of Names than Things. But at the desire of *Isdigunas* also, who promised to perswade his Master to remove his Army out of *Lazica*, one *Barsabes*, a *Persian* of great Quality, and as great a favorite of *Chosroes*, who had offered for him a great Ransome, having been taken Prisoner in *Armenia*, was sent to *Constantinople*. Thus was the Cessation concluded, to the great discontent of the understanding *Romans*, who complained that the *Persians* being now strong in *Lazica*, might securely and without interruption for five years to come, hold the fairest places of the Countrey, and that they were never after to be driven out, but might have easie access to *Constantinople* it self. Most men indeed were troubled to see that which the *Persians* ever aimed at, but which by War they could never effect, *viz.* to make the *Romans* tributary, now fully Established under colour of a Cessation of Arms; for upon this specious pretence, *Chosroes* did really impose a Tribute of four annual Centenaries, untill his forty six Centenaries were paid, calling his Tax a Truce, and shewing most manifestly, that he plotted it from the beginning of the War. And the worst of it was, from this Taxation they could never hope to be freed, but saw themselves constrained to remain in quality of Tributaries to the *Persian*.

Justinian purchaseth another Cessation for five years.

To the great trouble of the People.

205. So well succeeded the Embassy of *Isdigunas* in his Master's behalf, who having received high honours from the Emperour, together with vaster Presents than ever Ambassadour before him, returned home probably the richest man in *Persia*. This was the onely Ambassadour that had no Guard put upon him, he himself and his followers freely conferring and keeping company with whom they pleased;

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pleased; and in the City buying, selling, and making contracts in their own Persons with all liberty, no *Roman* attending them to observe their doings, as in those

A year of wonders.

times was wont to be. But this was a year of strange Accidents, there being such Heats at this time, as none ever could remember the like; Roses towards the Winter growing in abundance as in the Spring, with no manner of difference, and the weather as hot as at Midsummer; besides the Vintage being long past, new Grapes came as they had done before. Much talk hence there arose, as is wont in such cases, of strange things betokened, and likely to succeed; but the natural cause of this temper of the Air, was the continuance of the Southerly winds longer than ordinary. This Cessation was concluded, and these Heats happened in the twenty fifth year of *Justinian*'s Reign, the seventeenth year of the *Gothick* War. *A. D.* DLI.

206. Now we must behold the fruit of the Cessation, and consider the veracity of *Chosroes*, as also how true Prophets the understanding sort of *Romans* were in their predictions concerning the Issue. During the Negotiation then at *Constantinople*, King *Gubazes* in *Lazica* affected the *Romans*, because he found *Chosroes* to plot his Death; but the generality of his People now again inclined toward the *Persians*, offended with the oppressions of the other, and the insolency of the *Roman* Officers, of two ills chusing that which they did not at present feel, not for any love to the *Persian* Government. The *Romans* lay concealed, some near the *Phasis*, others in *Archæopolis*, and others in Fortresses, and *Gubazes* lay quiet upon the tops of the Mountains, so that the *Persians* visited all the Towns at their pleasure, and the Garrison of *Uthimerium* frighted with false tales, concerning a total Defeat both of *Gubazes* and the *Roman* Army, yeilded the Castle on condition to have their Lives and Goods secured. By this means the *Persians* became Masters of the Countrey, and held *Scymnia* and *Suania*, so that all places from *Muchirisis* to *Iberia*, were inaccessible to their Enemies, who durst not appear abroad nor stir, the *Romans* from their Fortresses, nor *Gubazes* with his *Lazians* from off the Mountains. *Mermeroes*

The *Persian* Master of *Lazica*.

plied his business, reinforcing several Garrisons, and he marcht toward the *Phasis*, where he understood that the *Romans* and *Lazians* had incamped and newly made head; but at the first news of his coming, they all separated and fled; *Gubazes* betaking himself to the Mountains with his Wife and Children, whence notwithstanding the extremity of Poverty and hard weather, he would not be drawn down by all the good words and fair promises *Mermeroes* could give and make him. For so strong was his hatred and aversion to *Chosroes*, that it suffered him not to despair of succours from *Constantinople*, the Judgments of men being generally biassed by their wills and affections. The Winter being now ended, *Isdigunes* arrived at the *Persian* Court, where *Chosroes* signed the Treaty, and received the money, but with intentions so cordial to the drift of *Justinian*, that with the same Treasure he levied a great Army of *Hunnes*, and sent them to *Mermeroes*, resolving what ever he did, not to quit *Lazica*. With these Forces *Mermeroes* coasted about the Countrey, and the *Romans* opposed him not, lying quiet in their Fortifications, about the mouth of *Phasis* in Company of *Gubazes*. Having without success attempted several Garrisons, he retired with his Army, which then the *Romans* followed in the fast Countrey, intercepted many, and killed the chief Commander of the *Sabirian Hunnes*. But fighting about the dead body, the *Persians* forced away the Enemy, and retired to *Cotæsis* the Fort of *Muchirisis* formerly mentioned.

207. So went the Emperour's affairs in the East, rather backward than otherwise. In the South all things were in a fair Condition, by the incredible successes

Things go well in *Africk*.

of *John* the General in *Africk*, who first drew to his Party *Cutzinas* a Prince of *Numidia*, then overthrew all the other *Numidians* in Battel, and soon after brought *Antalas* and *Jabdas* Princes of the *Moors*, inhabiting *Byzacium* and *Numidia*, to follow him in no better Quality than that of Slaves. Thus in this Province *Justinian* had no Enemies, and indeed not many Subjects, whom the former Wars and disorders had miserably wasted. And that Fortune might seem now and then, to cast a gratious aspect upon the Empire in her extreme and decrepit old Age, amid all her frowns, another thing happened about this time, which tended much to the inrichment of the Provinces. Certain Monks coming out of *India*, and getting Access to the Emperour, promised him to effect what he had long desired, that the *Romans* should not need to buy any more Raw Silk of the *Persians*, or any other Nation. For having lived long in a Countrey called *Serinda*, which contained many sorts of *Indians*, they had learnt the way how the same might be had in his own Dominions. *Justinian* being very curious and inquisitive to know how, they told him, that certain Worms taught by Nature, did Spin this Silk, which Worms to bring

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bring alive was not possible, but easie to get their Bags, wherein were innumerable Eggs, which being covered in Dung, and thereby heated, produced the Worms. The Emperour promised them great Rewards, to bring their undertaking to effect, and they returning to *Serinda*, brought those Eggs to *Constantinople*, where being by the means aforesaid grown to Worms, they fed them with Mulbery-leaves, and so brought the making of Raw Silk into the *Roman* Territories.

Silk Worms brought into the Empire.

208. In *Europe* in the mean time, the *Gepidæ*, who, as we formerly said, made a Truce with the *Lombards*, not composing thereby their differences, resolved to renew the War, which grew as hot as ever, the *Gepidæ* being led by *Thorisin*, and the *Lombards* headed by *Auduin*. Their Armies coming near each other, were both seized with such a pannick fear, that as well the one as the other ran away, leaving their Commanders with some few behind, who neither with fair words, nor threats could stop their running. *Auduin* not knowing the Enemy was in the same condition, sent Ambassadours to demand a Truce, who finding *Thorisin* deal truly with them, freely also told him how the *Lombards* were run away, and perswaded him, since God, as they said, had cast upon both Nations that saving fear, to concur with that gratious dispensation, and make an end of the War. A Cessation was accordingly concluded for two years, during which term, they were to send their Ambassadours mutually to compose all differences; yet not being able to end their Debates, they fell again to their old course of Hostility. Now the *Gepidæ* fearing the *Romans* would joyn with the *Lombards*, procured twelve thousand men from the *Uturgurian Hunnes*, inhabiting on this side the Lake of *Mæotis*; whom, for that one year of the Cessation was yet to come, and having no occasion for such a Multitude, they perswaded in the interim to invade the *Romans*, who kept no exact Guards upon the *Danube*, either on the Coasts of *Illyrium* or *Thrace*. Hereupon the Emperour sent to the *Uturgurian Hunnes*, planted beyond the Lake of *Mæotis*, and by money won them to invade the Countrey of the *Uturgurians*, whom, having passed the *Tanais*, assisted by two thousand *Tetraxite Goths* dwelling near them, they routed in a Battel long fought, and having killed many, took their Wives and Children Captives, and returned home. During the Contest be-

Justinian sets one sort of *Hunnes* against another.

twixt them, some thousands of *Romans* took the opportunity, and slipping away, recovered their Native Seats. And such *Uturgurians* as had before invaded the Emperour's Territories, were perswaded for money to retire, and if they could continue in their Countrey, to remain faithfull to the *Roman* interest, otherwise to come back, and have Towns assigned them in *Thrace*, where living as Confederates, they should protect the *Roman* Provinces from all Barbarians whatsoever. Of them already two thousand, after the Overthrow received from the *Uturgurians*, came into the *Roman* Dominions, and becoming Servants to the Emperour, were seated in *Thrace*, which *Sandik* King of the *Uturgurians* understanding, grew very angry, and sent a Message to the Emperour by word of mouth, (for the *Hunnes* knew no Letters nor Grammar, nor bred their Children to Learning,) wherein he compared the *Uturgurian Hunnes* to Wolves, which would never be tamed, and upbraided him both with folly, for nourishing them amongst his Sheep, and with ingratitude toward his Subjects the *Uturgurians*, whom he likened to Shepherds Dogs, for their Service and fidelity. But *Justinian* soothed the Ambassadours with good words, presented them richly and sent them home.

Auduin & Audovin, virtus Vindentialii Audotin, aut-vin. Thorisin, Thorisindus, Torisin: Thorisind, Ferox Sensu, id enim vox Thor significabat quod nunc pro fiducia sumitur.

Tetraxita, Tetrang-Sitten, sub Induciis sedentes; quod nomen græca voce ἐκτρεφομένοι redidit, additque Scylaci, ut multa alia, Exscriptoraliquis. Gothica Gens quieth amans ad Pontum Euxinum. Sic dicti ab Utur-garis. Gretius.

209. From these *Hunnes*, its time now to return to the other sort, which we said put a stop to the Voyage of *Narses* into *Italy*, and forced him to stay at *Philippopolis*. They having driven and carried all away without opposition, and being gone some towards *Thessalonica*, and some toward *Constantinople*; he marcht on, having hardly disingaged himself from them. *Totilas* in the mean time had burnt most part of *Rome*, especially beyond the *Tiber*; but now expecting the coming of *Narses*, placed some of those Senatours in the City, who had been formerly confined to *Campania*, with other *Romans*, Commanding them to Guard it, and professing to repent for what he had lately done unto it. Yet were those men in a condition, little better than that of Slaves, being stript of all they had, and so unable to vindicate the publick Interest, that they could not recover every man his peculiar right, although the *Romans*, in the judgment of *Procopius*, were the best Patriots in the World, studying to regain from all parts, what belonged to their City, and to save all the ancient Ornaments of *Rome* from perishing. During so long a subjection to Barbarians, (so he writes,) how did they preserve their publick Buildings and Ornaments! Even the Original Ornaments of their Race do yet continue, the sufficiency of those ancient Workmen holding out against the Ruines of time, and the negligence of men; and then he instanceth in the Ship of *Æneas*, which

Totilas burnt most of *Rome*.

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which to his time remained so uncorrupted, (for he saw it himself) as if it had been but very lately built. But (not to follow our Authour in his Digressions out of the Road,) *Totilas* also manned three hundred Gallies with *Goths*, Commanding them to pillage and spoil the Coasts of *Greece*. Yet they hurt nothing till they came to *Corcyra*, the onely inhabited Island in the passage from the Straits to *Scylla*, which they foraged together with the Islands adjacent called *Sybotæ*. They landed also in *Epirus*, and pillaged the Towns about *Dodona*, especially *Nicopolis*, and *Anchialus*, where *Anchises* Father to *Æneas* Died, and gave Name to the Town. They took also upon the Coast many *Greek* Ships, and amongst them some Transporting Provisions to *Narses* his Army.

His Fleet at Sea doeth harme to the *Romans*.

210. In *Italy Totilas* caused *Ancona* to be blocked up both by Sea and Land. *Valerianus* was then at *Ravenna*, but being unable to releive it, he wrote to *John* as yet lying in *Salonæ*, acquainting him how this Town which onely remained to them of all that part of *Italy*, lying upon the *Ionian* Gulf, was straitly besieged, and likely to be lost, if he would not come speedily, and joyn the Forces with him for its Assistence. The Emperour had forbidden *John* to stir, yet conceiving that Necessity must dispense with his Instructions, he adventured to go, and with his best men Shipt in forty Vessels, appeared before *Ancona*, whither *Valerianus* came shortly up to him with twelve Ships. The Commanders of the *Goths* Manned out forty seven of their choicest they had against them, leaving the rest to block up the Castle, and to a Sea Fight they came, which was stoutly Fought, and much like to a Land Battel; they standing with all their Ships in Front against one another, and plying their Bows. But the unexperience of the *Goths* in Sea Fights, and their disorder undid them, their Ships jumbling like so many Baskets together, so that they could neither shoot at the Enemy, nor manage any Weapon, being perpetually employed in getting clear of one another, and spending all their Shouts and Cries not upon the *Romans*, but their own men, to keep off. The *Romans* on the other side behaved themselves both Valiantly and Skilfully, making use of the advantage which the folly of their Enemies presented; so that they took and sunk all with the men in them, except eleven Ships which got away, and were set on Fire after the men were Landed, lest they should come into their Hands. Such as escaped in them going on foot to *Ancona*, and relating there the Accident, the Siege was raised, and the Camp left to the *Romans*, who having put Provisions into the Castle, sailed away; *Valerianus* to *Ravenna*, and *John* to *Salonæ*. This Defeat much abated the power and interest of *Totilas*, whose affairs went to wrack in *Sicily*, where *Artabanes* having succeeded *Liberius*, took all the Castles from the few *Goths* lying in the Island. The Hearts of the *Goths* were so dejected with these Losses, that should any Succours come to the *Romans*, they had no thought of subsisting, or keeping one foot in *Italy*. And from the Emperour they had no hope to obtain any thing, for *Totilas* had sent to him many Ambassadours, shewing how the *Franks* had seized on a great part of *Italy*, and the rest was become waste and void. He offered that the *Goths* should quit to him *Sicily* and *Dalmatia*, which onely remained unspoiled, and should pay Tribute for the wasted Lands in *Italy*, and serving his Majesty against all the World, in all other things also be obedient to him. But *Justinian* would take no notice of these Overtures, but still sent away the Ambassadours being distasted at the very name of a *Goth*, and purposing to hurry them all out of the *Roman* Empire.

The *Romans*. beat the *Goths* at Sea.

The *Goths* dejected.

Justinian will give them no terms.

211. In reference to what *Totilas* said concerning the *Franks*, the Reader must understand that *Theodebert* their King who lately Died, had unjustly made Tributary some Towns in *Liguria* and the Cottian *Alpes*, together with a great part of *Venetia*; he thus getting without blows, what the two angry Antagonists were busily Fighting for. Indeed in *Venetia* the *Goths* had little, the Sea Towns were in the hands of the *Romans*, and the *Franks* seized on the rest, while neither *Goths* nor *Romans* had leisure to look behind them. The *Goths* thought it sufficient to agree with them, that during the War with the Emperour, both should hold what they had, and forbear Hostility, and in case *Totilas* should become Conquerour, then the Acquisitions of the *Franks* were to be disposed, as should be agreed on among the Parties. But to *Theodebert* had succeeded *Theudibald* his Son, to whom *Justinian* sent an Ambassadour, to demand the Towns unjustly seized in *Italy* during a Truce, and to perswade him to a League against *Totilas*. As to the latter he put him off, with a modest refusal, telling him, that should he prove false to the *Goths*, no Friend should ever have reason to trust him; and as to the former, he denied that his Father had been an Oppressour of his Neighbours, or an Intruder, but in case it should appear he had taken them unjustly from the *Romans*, and not rather

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outed *Totilas* of his unjust possession, he would refer the matter to Arbitration, and send himself Ambassadours to *Constantinople*, which he did, and they effected what they went about. *Totilas* in the mean time, being ambitious to get the Islands belonging to *Africk*, into his hands, sent an Army to *Corsica* and *Sardinia*, and made them tributary to him. A mighty Company of *Sclavi* at the same time fell upon *Illyricum*, and doing mischeifs not to be expresst, went home with innumerable Prisoners, and all their Booty, none incountring them. The *Gepidæ* transported them over the *Danube*, having for every head a Golden Stater, as their fare. This troubling the Emperour, who hereby had no means to hinder their passage over that River, he made a League with the *Gepidæ*; but they notwithstanding still transporting the *Sclavi* over the *Danube*, he sent an Army to the Assistence of the *Lombards* their Enemies, who invading them with so great a Force, overthrew them in Battel, and made great slaughter of them.

The *Sclavi* infest *Illyricum*.

212. Great Earthquakes happened in those days, in several parts of *Greece*, about the Gulf of *Crissæum*, overthrowing many Cities, as *Chæronea*, *Corone*, *Patra* and *Naupactus*, and many men perished. In *Italy*, *Crotone* was straitly besieged by the *Goths*, and wanting Necessaries, sent to *Artabanes* in *Sicily* for releif, protesting that if none speedily came, they must be forced to Surrender the Town; yet none came, and so ended the Winter, together with the seventeenth year of the War. But in Spring, the Emperour Commanded *Crotone* to be releived by the Garrison of *Thermopyle* in *Greece*, which Sailing for *Italy*, the *Goths* upon sight of the Ships, ran away from the Siege and were dejected; insomuch that two of their principal Commanders began to capitulate for the rendition of the Towns under their Government. And now at length, *Narses* began to draw near *Italy*, with a very gallant Army, as well he might, having received very much Treasure from the Emperour, to leavy and furnish the same. And what was of more Consequence, he brought wherewith to pay the Souldiers in *Italy* their Arrears, which were very great, and had been due for many years together: Nay he was furnished with money to invite the Revolted, to return again from the *Goths* to their ancient Obedience. The great and effectual Engin which moved all, was the Emperour's Resolution, who in the beginning managed the War very coldly and carelesly, but now set himself with all earnestness and sincerity to the Work. And *Narses* was to be commended for making use of his present temper, who seeing him very eager, that he should lead the Army into *Italy*, protested plainly he would not therein obey his Commands, unless he might have competent Forces; by which stoutness he procured men and money, with Provisions of Arms and other Necessaries, all befitting the *Roman* Empire. Now might he chearfully set about his business, and had credit enough to raise Forces, and obtain Auxiliaries out of all Places. And many gallant and eminent Persons, willingly accompanied him in the expedition. *John* waited on him, both with his own Troops, and those left him by *Germanus* his Father-in-Law. *Dagisthæus* also accompanied him with his Troops, being discharged of his Imprisonment for this purpose. *Cabades* the Son of *Zames*, and Grandchild of King *Cabades*, (who having by the practice of *Chavaranges*, escaped his Uncle *Chosroes* his cruelty, long agoe came into the Emperour's Dominions,) followed him in the expedition with many *Persian* Fugitives. Besides these *Asbades* a young *Gepida* and very Valiant, with four hundred of his Nation all good Souldiers; *Aruth* an *Herulian*, accompanied him with many old Souldiers of the *Herulians*; and *John Phagas* commanding many *Roman* Volunteers, well practised in War. Moreover *Auduin* Prince of the *Lombards*, by virtue of the League, and for a good Sum of money given him by the Emperour, sent him five and twenty hundred select men, accompanied with a retinue of above three thousand others. He had three thousand *Herulians*, commanded by *Philimuth* and others, besides many *Hunnes*; but his cheifest levies were out of the *Constantinopolitan* Guards, the Garrisons of *Thrace*, and the Countrey of *Illyrium*. The truth was, *Narses* was very obliging, especially to the Barbarians, and to this his great Power with the Emperour being added, as well Commanders, as common Souldiers, were eager to serve under him; both in acknowledgment of former favours, and in expectation of great advancements in time to come.

General *Narses* draws near *Italy*, gallantly provided.

And attended.

213. Being arrived at the Confines of *Venetia*, he sent to those that commanded the *Franks*, demanding passage for himself and followers, as for Friends, to which they returned a denial, protesting they would hinder him, both in respect to the interest of *Franks* and *Goths*, and farther pretending a frivolous excuse, as that he had *Lombards* in his Army, their greatest Enemies. Yet he was told by some *Italians*, that had the *Franks* given him passage, he could not possibly have gone far-

The *Franks* deny him passage through *Venetia*.

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Yet he gets to Ravenna.

214. After nine or ten days ſtay, he left *Juſtinus* Governour of *Ravenna*, and began his march. At *Ariminum* being to paſs the River, and ſearching diligently for a paſſage, *Uſdrilas* the Governour of the *Gothick* Garriſon there, Sallied with ſome of his beſt men, thinking to ſurprize and kill him in that poſture. But ſome *Heruli* by mere accident encountred and killed him, and a *Roman* knowing him, brought his Head to *Narſes*, which filled the *Romans* with much Courage, taking it as a ſign of God's favour and a good *Omen*, that the Enemy having a deſign upon their General, ſhould ſo ſuddenly looſe their own Commander without any humane Plot or forecaſt. Though he might have had incouragement upon the Death of *Uſdrilas*, yet he medled not with *Ariminum*, nor with any other Town, that he might not retard his main deſign, nor divert it by any other buſineſs. And the Enemy diſcouraged at the loſs of their Governour, gave him no impediment in making a Bridge and paſſing the River, which having done, he left the *Via Flaminia*, and took the left hand, that huge Street being unpaſſable, by reaſon that the *Goths* had ſeized on the Rock called *Petra Pertuſa*, and all other places lying upon it. *Totilas* in the mean time, hearing what had paſſed in *Venetia*, expected *Teias* and the Army about *Rome*, which being all come up, except two thouſand Horſe, he marcht away with the reſt, intending to fight the *Romans* at his beſt conveniency. Underſtanding how matters ſtood at *Ariminum*, he went through *Tuſcany* toward the *Appennine*, where he incamped in a Village called *Tagiria*; And afterward came *Narſes* and ſate down upon the *Appennine* alſo, at twelve miles and an half diſtance near the little round Hills, wherein the *Galls* ſlain by *Camillus* were buried, and at that day called *Buſta Gallorum*.

Uſdrilas the Goth ſlain.

Ouſdelbat, i.e. Waſte-lat, ex aquæ liberatus, d. interjicitur, ad mitigandum ſonum, ut in Waldrada.

215. *Narſes* preſently ſent to *Totilas*, to adviſe him to entertain peaceable Counſels, and not contend, becauſe he was backed by a few lawleſs men, with the ſtrength of the whole *Roman* Empire; And in caſe he was reſolved for War, he inſtructed the Meſſengers to bid him appoint a day for a pitcht Battel. He with a reſolute and daring Countenance, told them they ſhould have War, and that eight days after he would not fail to meet them. But *Narſes* ſuſpecting ſome cunning in the anſwer, prepared to fight as the next day, and he was in the right; for the day following, *Totilas* came with his whole Army. Both had a mind to gain a little Hill for an advantage of upper ground, and *Narſes* by Night ſent fifty men, who ſeized it without oppoſition. Againſt them *Totilas* ſent a Troop of Horſe, but ſtanding thick and firm, they frighted the Horſes with the noiſe of their Sheilds and with their Lances; the men who failed often in the attempt, at length gave it over, and *Totilas* ſent ſeveral Troops afterward, who came off with the ſame diſgrace, ſo that he gave over the enterprize, and thoſe fifty men deſervedly got great reputation, eſpecially one *Paul* who indeed did wonders, and for this Service was made one of *Narſes* his Targetiers. In the mean time both Armies prepared for Battel, and the Generals beſpake the courage and fidelity of their Souldiers, uſing arguments fitted to the occaſion. The *Lombards*, *Heruli* and other Barbarians, *Narſes* cauſed to alight and ſerve as Footmen, that in caſe they ſhould turn Cowards, they might flye but ſlowly. And his left wing he caſt into the form of a Wedge, ſetting there fifteen hundred Horſemen, whereof five hundred were to releive their Friends, in caſe they were put to the worſt, and the other thouſand get the backs of the Enemies Foot, and gall them in the fight. In like manner *Totilas* placed his Army, and rode about with Countenance and words animating his Souldiers. *Narſes* did the like, holding out to them gilt Chains and Bridles, as the Prizes of their Valour.

Narſes ſends to Totilas.

Totilas will have War.

216. Both

216. Both Armies ſtood ſtill a while, expecting the Aſſault of their Enemies, till one *Cocas* a *Goth* of good repute for Valour, rode up to the *Roman* Army, and challenged any to fight with him, having formerly ſerved the Emperour, but ſince revolted to *Totilas*. But *Anzalas* an *Armenian*, and Lancier to *Narſes*, encountred and ſlew him, at which the *Romans* made a great ſhout. Now by this time *Totilas* underſtood that his two thouſand Horſe were at hand, and therefore laboured all ways poſſible to defer the Fight. He came in his bright Armour, and very goodly to behold, on a prancing Horſe, betwixt the two Armies, not to challenge any to a Duel, but by ſeveral poſtures and feats of Activity, to attract the eyes of Gazers, and behaved himſelf like a cunning and skilfull Rider of a managed Horſe. In theſe Exerciſes he ſpent a great part of the Afternoon, then to gain more time, ſent to *Narſes* and offered a Parley. *Narſes* ſaid he jugled; and before the meeting was agreed on, came the two thouſand Horſe, which when *Totilas* underſtood, and it being now Dinner time, he cauſed the Army to draw off, and going to his Tent commanded his men to Dine, then he put on other Armour, and ſuddenly led out againſt the Enemy, thinking by ſo unexpected an Onſet to ſurprize them. But *Narſes* was aware of his deſign, and forbad his Troops to retire to Dinner, to repoſe themſelves, or ſo much as to put off their Corſelets, or unbridle their Horſes, Commanding them to take a bit as they ſtood in their Ranks, and have a watchfull eye upon the Enemy. They accordingly ſtood ſtill in the ſame order, onely the General with an addition of four thouſand Foot, put both his Wings into the form of an half Moon. The Infantry of the *Goths* ſtood behind their Horſe, to receive them if routed within their Ranks, and joyntly to renew the charge.

Sect. 1. *Caco (& Cocus mutatis vocalibus) Contractum ex Cagan-hart, ut in voc. All. aut Cahan-hart, Libo ſimile Cor. i. e. dulce. Sic Grotius Interpret.*

A pitcht Battel.

217. But *Totilas* commanded his men to uſe onely their Lances, and not their Arrows, which ſenſeleſs Strategem ruined him; making hereby his Army inferiour in their offenſive Weapons, as in all things elſe. For the *Romans* as they had occaſion, uſed both their Arrows and Lances, and came up to the Sword, and did all which convenience required, either on Horſe back or on Foot, ſometimes ſurrounding the Enemy, and ſometimes receiving his Charges. The *Gothick* Horſe without their Infantry, ruſhed on with unadviſed fury, truſting onely to their Lances, and preſently found their Errour, being ingaged amongſt eight thouſand Foot, ſo that before they could reach the *Roman* Cavalry, they had loſt both many Men and Horſes, and coming up to it very late, they found both *Romans* and Auxiliaries, ſtriving who ſhould moſt warmly firſt receive, and then repell them. Not able to ſtand after their firſt furious Charge, they began to retire, and the *Romans* to purſue, the Evening coming on; for the *Goths* thought that ſome Spirits fell upon them, and that Heaven it ſelf fought againſt them. And when they came to their Foot, then their miſcheif increaſed, for they made not any orderly retreat, as to take breath for a new Charge, or for any other point of War, but ran in among them ſo confuſedly, that they ſpoiled many, and the Foot opened not their Ranks to receive them, but ran away with them for Company; and it growing dark, they deſtroyed one another. Already Maſtered by Terrour and Cowardiſe, the *Romans* killed them ſparing none. And now the darkneſs put an end to the Fight, ſix thouſand being ſlain, and many taken, who were not long after put to the Sword; amongſt them many *Roman* Souldiers periſhing, that had revolted to *Totilas*.

The Romans have the better.

218. The King himſelf with five men fled in the dark, but was purſued by ſome *Romans* who knew him not, and by one *Asbades* a *Gepidæ*, was mortally wounded with a Lance, but was drawn on by them that accompanied him, who rode amain, and having run about ten miles, they came to a Town called *Capræ*, where they reſted and dreſſed his wounds, but he ſoon after expired in the place, and there they buried him and went their way. Such a concluſion had the Life and Reign of *Totilas*, after he had been King of the *Goths* eleven years, not ſuitable to his former Actions and Succeſſes. For in him Fortune inſulted upon the frail condition of Mankind, and ſhewed the abſoluteneſs of her Dominion, having without apparent merit beſtowed on him a long time of happineſs, and now hurrying him at her own pleaſure, into Cowardiſe and an ignoble Death. The *Romans* knew nothing of it, till a *Gothick* Woman ſhewed where he was Buried, and then ſome diſtruſting the Report, opened the Grave, digged up the Coffin, and upon ſearch finding it to be *Totilas*, put him in the ground again, and reported all to *Narſes*. Yet there were who gave out a quite different relation of theſe matters, as that the *Goths* made not this unadviſed Retreat, but in the firſt Encounter, an Arrow by chance light on *Totilas*, who being Armed like a common Souldier, and ranked among them to

Totilas dies of his wounds.

Sect. I.

conceal himself, could not be known nor purposely shot at. But that being mortally wounded, he gallopt away in great pain to *Capræ* with some few, and after much Misery and Languishing died under the Cure. That the *Goths* amazed at what had happened to their King, being otherwise too weak, were wholly out of Heart, and shamefully ran away. But however it fell out, *Narses* rejoycing at the success, took the right course, as *Procopius* well observes, to attribute all to Almighty God.

Narses ascribes the success to God.

219. That he might order his affairs, as was suitable to such an acknowledgment, and take order for present occasions; he sent away his *Lombards*, who were infinitely unruly, burning Houses, and ravishing Women that fled into Churches. Presently after, *Valerianus* besieged *Verona*, but the *Franks* who sought to get the whole Countrey into their own hands, hindred the Design when the Garrison was coming to Capitulations, so that he retired without effecting any thing. The *Goths* that escaped the Overthrow, went over the River *Poe*, to the City of *Piceenum*, and the Towns thereabout, where they advanced *Teias* the Son of *Frediger-na*, into the place of *Totilas*. He ordered his matters as well as he could in the low Condition, to which they were reduced, and having the Treasures laid up by *Totilas* in *Picenum*, endeavoured to draw the *Franks* to his Assistence. *Narses* understanding that he intended to assemble his *Goths* together, commanded *Valerianus* to keep with his Troops about the *Poe*, and if possible to prevent their Uniting. He himself with the rest of the Army, marcht toward *Rome*, taking in several Towns in *Tuscany*, as *Narnia*, *Spoletum* and *Perusia*. *Totilas* having burnt most of *Rome*, and considering he had not men enough left, to Guard the whole Circuit of it, had taken in with a Wall a lesser part of it about *Adrian's* Tomb, joyning to the City Walls, which making a sort of Castle, the *Goths* therein put their best things, and lookt to it carefully, neglecting the other Parts. Yet now to try *Narses*, who was come to the Siege, they left a few to Guard the Castle, and put themselves upon the Battlements. But the circuit of the Walls being so vast, that they could neither man them, nor the *Romans* attacque them all, while several Parties assaulted in several places, *Dagisthæus* set Ladders to a part quite destitute of Guards, and mounting without any resistence, set open the Gates, which the *Goths* beholding, quitted all their Posts and ran away, some to the Castle, and some to *Portus*. Here our Authour makes more Reflexions upon Fortune, how she plays with poor and helpless Men, changing her looks with times and places, and varying suddenly, not onely her own humour, but even the value and worth of Persons. *Belissas* formerly lost *Rome* very unworthily, and afterward recovered *Petra* in *Lazica* very bravely. On the contrary *Dagisthæus* poorly ran away from *Petra*, and now soon after recovers *Rome* to the Emperour.

Teias made King of the *Goths*.

Teia, Teias, Teïa, Lentus. Frid-gern, Fadamans in vo. Allem. Fridigo.

Narses takes *Rome*.

220. Then marcht *Narses* to the Castle, and the *Goths* quickly yielded it, on condition of security for their Persons, *Justinian* passing the twenty sixth year of his Reign, in which it had now been taken five times, and *Narses* sent the Keys of the City to him. But to the *Roman* Senate and People this Victory proved extreme Ruine; for the *Goths* now despairing of the Dominion of *Italy*, killed them where ever they could find them in their flight. The Barbarians of the *Roman* Army at their entrance, used them no better than Enemies. And such Senatours as *Totilas* had confined to *Campania*, and were returning to the City, upon report that it was in the Emperour's hands, the *Goths* Quartered in the Towns of those Parts killed, leaving not so much as one Patritian alive. *Totilas* also going against *Narses*, called for all the Sons of the Principal *Romans*, and chusing out three hundred of the goodliest amongst them, sent them beyond the River *Poe*, under pretence of breeding them, but indeed to keep them as Hostages; and now *Teias* finding them there, killed them all. Moreover *Ragnaris* a *Goth*, who commanded in *Tarentum*, put to the Sword fifty Souldiers, whom he kept as Hostages. Soon after, the *Roman* Army had *Portus* delivered up by composition, *Nepa* in *Tuscany*, and *Petra Pertusa*. *Teias* finding himself too weak, importuned *Theudebald* by offers of great Sums of money to joyn with him in the War; but the *Franks* took that resolution which was best for their own advantage, not to bestow their Lives either upon *Goths* or *Romans*, but to reserve them to the conquest of *Italy* for themselves. *Narses* now hearing how *Teias* had bestowed the most part of his Treasures, in the Castle of *Cumæ* in *Campania*, with a strong Garrison, staid himself at *Rome* to repair the Ruines, but sent to besiege the Castle, as also another Party to attempt *Centumcellæ*. *Teias* fearing the loss of it, and having no hopes to receive any succours from the *Franks*, prepared for Battel, which *Narses* understanding, appointed some Forces to intercept his passage through *Tuscany*; but he left the nearer

The *Roman* Senate miserably used, and the People.

nearer way on his right Hand, and fetching a great compass by the Sea Coast, so came into *Campania*. *Narses* thereof advertised remanded the Forces, and with his whole Army marcht thither in order to fight. Sect. I.

221. Both Armies incamped on either side the River *Draco*, which issueth from certain wholesome Springs at the foot of the Mountain *Vesuvius*, and close to the City of *Nuceria*. The Bridge upon it the *Goths* had seized, and had set upon it wooden Towers, many Engines, and *Balistæ* to Shoot down upon the Enemy. The River running betwixt them, there was no possibility for a close standing Battel, onely getting as near as they durst to the Banks; both sides plied it with Arrows, some Challenges and Duels also now and then happened; and so two Months were wholly consumed. The *Goths* did well enough so long as they continued Masters at Sea, being that way supplied with Provisions. But afterward their Ships were betrayed to the *Romans*, who being also reinforced with many other Vessels out of *Sicily*, and other Parts, *Narses* also setting up his wooden Turrets on the Rivers Bank, they were mightily dejected, and for fear and Famine fled up to a Mountain near at hand called *Mons Lactis*, where the *Romans* for the Fastnesses could not come at them. But finding there no Provisions at all, either for themselves or their Horses, they soon repented their coming up, and chusing rather to die by fight than Famine, came suddenly upon the *Romans* and took them at advantage, neither being imbattelled, nor any way observing any Order, or Command. The *Goths* quitting their Horses, stood in a deep Battalion: the *Romans* also forsook theirs, and stood together in a Front. Here *Procopius* tells us, that this Battel and the Valour of *Teias* in it, deserves a long Discourse, being equal to that of the ancient Heroes. Despair made the *Goths* venture all, and shame caused the *Romans* not to yeild to beaten men, though they saw them mad and desperate, and so the one weary of their Lives, and the other to shew their Valour, fought with much fury, the fight beginning in the Morning betimes.

A bloudy fight.

222. *Teias* accompanied not with many Souldiers, stood in the first Rank in open view, holding out his Sheild, and shaking his Lance. Many *Romans* knowing that by his Fall, the Controversie would be decided for this time, combined against him, some falling on him with their Spears, and others plying him hard with Darts, which he received on his Sheild, and then flying out killed many. When his Sheild was stuck thick, he gave it to one of his Targetiers and took another, continuing in this manner a third part of the day. Having at length got twelve Darts sticking on his Sheild, so that he could not weild it as he would, nor beat off the Assailants, yet for all this he quitted not his Rank, nor lost one inch of ground; nay he did not so much as turn his body, nor rest his back upon his Target, but stood upright, as if he had been fastned in the Earth, killing with his right hand, warding with his Sheild, and calling upon his Targetier to give him a new one, for his old one was loaded with Darts. In this instant as he made the change, his breast lying open was hit with a Javelin, and he instantly died. The *Roman* Souldiers put his head upon a Pole, to incourage their men, and dishearten the *Goths*, who though they saw their King slain, yet gave not over the Fight till Night came on, and then both sides retired and lay in their Armour. Early the next day they began again, and continued also till Night, their Savage hatred carrying them through all difficulties; for the *Goths* made account it would be their last Fight, and the *Romans* scorned to be overmatcht.

Teias doth wonders.

Is killed.

The fight continues till night the second day.

223. At last the *Goths* sent to tell *Narses*, that they perceived their Contest to be with God himself; that they saw the Power which stood against them, and now considered their true Estate and Condition by their former Success: in conclusion, they promised to lay aside their desperate Resolutions, upon condition not to be put under the subjection of the Emperour, but to enjoy their own liberty, with some other Barbarian Nation. The *Romans* they intreated to afford them a peaceable Retreat, and in a moderate consideration of their wretched Condition, to bestow their own Goods upon them for their Journey, such as they had left in any Forts of *Italy*. *Narses* holding a consultation hereupon, *John* advised him by all means to grant their Petition, and not to contend any more with men weary of their Lives, nor to provoke a Courage growing from Desperation, which commonly proves fatal, not onely to those that are possessed with it, but also to such as venture to encounter them. He affirmed that to moderate men, it was enough to be Victorious, whereas the desire of too much might end in Inconvenience. *Narses* could not but allow of the advice, and they agreed on these Conditions, That the *Goths* should have their Goods, and immediately depart out of *Italy*, never any more to bear Arms against the *Romans*. About a thousand of his Company went away

The *Goths* offer to depart *Italy*.

Narses consents.

Sect. 1. away to *Picenum*, and the parts beyond the River *Poe*, under Conduct of *Ildulph*, and some others. The rest staid and ratified the agreement by their Oaths; And the *Romans* took in *Cumæ* and all the rest. So ended the eighteenth year of the

Here the Books of *Procopius* end. *Gothick* War, and together with it the fourth and last Book, written by *Procopius* concerning the Subject, of whom yet we must not here take our leave, having occasion hereafter to make farther use of a certain secret History going under his Name.

Agathias begins as he professes. 224. Here being arrived at the end of his Travels in the *Gothick* matters, we must take *Agathias* for our Guide in our way forward, who professes to begin where the other ends his History; yet the conclusion of the one, and the beginning of the other, do not well agree. *Procopius* writes, that the *Goths* desired to depart out of the Emperour's Dominions, and that all of them except about one thousand, sealed the Agreement with their Oaths. But in *Agathias* not a word of this; for he tells us, that such as survived the Overthrow, (not mentioning a Party,) being prosecuted by the *Romans* without intermission, and pressed by frequent Assaults and drought of the places whither they betook themselves, made an agreement with *Narses*, that they should without molestation possess the Lands they formerly held, and thenceforth live in obedience and subjection to the Emperour. These things being thus determined, saith he, every one imagined, that there would be no more Wars in *Italy*, whereas they became but the seeds and occasions of farther Dissentions. For whereas it might be justly expected that the *Goths*, who had now recovered their Habitations on both sides the *Poe*, throughout *Tuscany*, *Liguria* and *Venetia*, should sit still and be quiet, and suffer *Italy* to take some breath and repose; those about the *Poe* had not long there continued, but they began to lay the Foundations of new mischeifs. And thinking themselves too weak, and inconsiderable to grapple with the *Romans*, resolved if possible, what they could not doe in their own Persons, to effect by the power of an Alliance, and betook themselves to the *Franks* their Neighbours; the other *Goths* not joyning in the Embassy, but standing at gaze and desirous of alterations, yet doubtfull concerning the event, and lately having had their hands in the fire, they desired for a while to look on, and then joyn with the stronger Party. The Messengers having got access, endeavoured to perswade the King and his Nobles, that to joyn with them was the onely way to preserve themselves from Ruine, the avarice and ambition of the *Romans* being such, that the devouring of the *Goths* would but whet their Appetites, to make a greater Meal of the *Franks* and other Nations. They promised them not onely much Booty and Spoil, but to pay them liberal stipends. And desired they would send them a good and sufficient Army, over which they would set an able General of their own, who should speedily recover their ancient Lands and Possessions.

The *Goths* solicite the *Franks* to joyn with them against the *Romans*.

225. *Theudebald* being of a mean Spirit, and nothing fit for matters of War, besides of a weak and sickly Constitution, no way liked of their Message, neither thought it convenient for the benefit of other men, to involve himself in difficulties and dangers. But *Leutharis* and *Butilinus*, two Brothers, for all that contracted an Alliance with them, being *Allemans* by Nation, but of vast Authority and Power amongst the *Franks*, whom indeed they governed, being first brought in by the late King *Theodebert*. Having got an Army of seventy two thousand men together, they made themselves Cocksure of the Victory, concluding that *Narses* would not once dare to look them in the Face, and that they should speedily become Masters both of *Italy* and *Sicily*. *Narses* though he had not fully discovered their Intentions, yet suspecting and providing for the worst, resolved if possible to prevent them, and for that purpose to take in such Towns in *Tuscany*, as yet continued under the power of the *Goths*. He presently laid Siege to *Cumæ*, a strong Town situate on an high Hill, and difficult to come to on the Shore of the *Tyrrhenian* Sea, where he was warmly entertained in his Assaults, by *Aligern* the Brother of the deceased *Teias*, whose wonderfull strength and activity appeared in many particulars. Not able to take it by Storm, he considered that part of the Fort stood over a mighty Hole or Cave, where it was reported, that one of the *Sibylls* of old gave her Answers, and particularly to *Æneas* the Son of *Anchises*. This Cave he caused to be inlarged, so far till they came to the Foundations of the Fort, which being underpropped with wood, still as they digged, and then that set on fire, down fell the Wall, with several of the Buildings thus undermined. Yet did not the Project succeed, for the Cave being deep and vast before, was now inlarged to such a depth and wideness, that a mighty Chasm and Precipice being thereby made, *Cumæ* remained as secure as formerly. Therefore *Narses* resolved not to spend all his time, and

Aligern, Omnium Amans. Pamphilus Graece. in voc. Allem. Aliger & Alcarius, Algernon nin pridem in usu apud Comites Northumbriæ, atque etiamnum in variis Angliæ familiis.

and employ his whole Force against this one place, inconsiderable in respect of what was farther to be done, but sent the greatest part of his Army to the *Poe*, there, if possible, to hinder the irruption of the *Franks*. Sect. 1.

Narses takes in several places. 226. He himself in the mean time attempted other Towns with good success, having left a sufficient power to block up *Cumæ*. For the *Florentines* readily and willingly yielded up their City, so did the Inhabitants of *Centumcellæ* and *Volaterræ*, with all the Maritime Coasts; those of *Pisa* also, onely the Citizens of *Luca* stood out, and were very refractary, although they had promised by Oath, and engaged by delivery of Hostages, to receive *Narses*, if they had no relief within thirty days, in which space they hoped the *Franks* would be with them. *Narses* was much concerned to find he was so abused, but carried it very moderately, and with great wisedom, not suffering himself to be swayed by Passion or Revenge, though he had the Hostages in his hands. Yet did he devise a way by a feigned sort of execution to terrifie them in the Town, presenting them with a sight of the Hostages made ready for death, placed at such a distance, and so shadowed by cloaths, hung up on purpose, that when they saw the Axes lift up, the stroke of the Executioners, their Relations fall, and heard the noise upon the boards, they thought it a real Tragedy, though a Comical part was onely acted. Receiving such impressions as their deluded senses presented, they had a suitable operation upon their affections, so that lamentable cries, and great tumult followed amongst the Kindred and Allies of those they supposed to be dead. And *Narses* was reviled as an Hypocrite, who had covered the most cruel humour imaginable, with a specious zeal to Piety and Mercy. He told them that what had happened was by their own fault, being the punishment of their perfidious dealings, and that they must expect no better at his hands, yet possibly he could shew a trick, and make them alive again, if he might but be convinced that they deserved such a favour at his hands, and by their speedy repentance would make amends for their former faults. They laughed at the conceit of raising them from death, and conceiving he mocked them, resolved to be even with him, promising to set their Gates open, and receive him in, so soon as they should perceive that their Hostages were safe; for though they never meant it, yet concluding he had killed their Friends, they thought they should be released from the Bargain by the impossibility of the condition.

Agathias, lib. 1. ad initium.

227. *Narses* thereupon presented the Hostages safe and sound to their view, with which sight they were mightily affected; but seeing their Relations alive, and in good plight, though not out of danger, they began to make excuses, and at last it was resolved, notwithstanding their obligations, not to yield the City. Then did the *Roman* General shew a remarkable pattern of Magnanimity. He dismissed the Hostages freely without any Reward or Ransome, sending them into the Town, and with them this Message, That it was not his custome to flatter or delude any one with vain hopes, for they should understand that in case they did not speedily surrender, that thing in his hand, meaning his Sword, should oblige them to it, without the help of Hostages. But the men thus dismissed returned into the City, and there coming amongst their acquaintance, extolled the Justice, Magnanimity and Clemency of *Narses* to the skies, saying, there was never a man of so noble a Disposition, and it soon appeared, that the Discourses of them were stronger and more effectual for the taking of the Town, than all the battering Rams and Engines of *Narses*. They did their endeavour to promote his Interest, and while they discharged this office of gratitude, ill news comes to him out of *Æmilia*, where the *Roman* Army at first observing good order, did that for which it was sent, but afterward through the temerity of *Fulcaris* the Captain of the *Heruli*, made an excursion to the Gates of *Parma*, and received a defeat there by certain *Franks*, whom *Butilinus* had placed in ambush in the Amphitheatre. *Narses* was troubled for the loss of the man, who was a Person of extraordinary valour, had he been but prudent, and more in respect of the consequences, which he feared might be great; but he was much afflicted when he heard how the other Captains, after the death of *Fulcaris*, for fear of the *Franks*, (who they knew would be much elevated with this success,) had forsaken the Countrey about *Parma*, and retired to *Faventia*. For he had sent those Forces thither on purpose to be as a Wall and Rampart to keep off the *Franks* till such time as having dispatched his matters in *Tuscany*, he could bring up his Army, and joyn with them. But now he perceived he might have sudden diversion, being by their removal exposed to the first Assaults of an encouraged and daring Enemy.

228. But

Sect. 1.

228. But accommodating himself to the present exigency of Affairs, as well as he could, he first by a Speech encouraged his Souldiers, whom he found a little dejected at the News, shewing them that there was no Army, how victorious or valiant soever, which must not sometimes encounter with adverse fortune. And to the Officers lying at *Faventia* he sent one *Stephanus*, to require them to return to the Post formerly assigned them, which (having with incredible difficulty and speed, accompanied by two hundred stout men, passed through a Countrey filled with *Franks*) he did with such moving and convincing arguments, that, ashamed of their Retreat, they returned to their old Quarters about *Parma*. *Narses* then, delivered in some measure of his former fears, besieged *Luca* more straitly than ever, disdaining they should deal so peremptorily with him. He set his Engines to the Walls, and began to attacque them in earnest, which the besieged perceiving, now more seriously weighed the Motives and Reasons of the Hostages, who using more diligence than ever, as the present occasion required, the Townsmen were inclined to yield; the onely obstacle was, there were certain Officers of the *Franks* in Town, to look to the Garrison, who omitted nothing whereby they might inflame their minds, and make them stand it out, though with never so much disadvantage, for part of the Walls were already broken down. They caused them to make a Sally, but they did it so unwillingly, and fought so coldly when out, that they ever had the worst, returned with loss and disgrace; and still being more pressed upon by the *Roman* Army, at length, after three months siege, they came to a full resolution to yield their City, on condition, that what had hitherto passed might be forgot and forgiven. So *Narses* took possession of *Luca*, in behalf of *Justinian* his Master.

Luca is yielded to him.

229. Leaving *Bonus*, a prudent and valiant Person, Governour of *Luca*, he marcht with his Army to *Ravenna*, and disposed of his Souldiers into their Winter-Quarters; Autumn now declining, and the winter Solstice at hand, and with order in Spring to meet together at *Rome*. By this time *Aligern*, the Brother of *Teias*, who held *Cumæ* against the *Romans*, upon notice that the *Franks* were coming to his Assistence, began seriously with himself to consider the reason of their coming, with the effects of their Conquests, in case it should be their good fortune to beat *Narses* out of *Italy*. He concluded their coming was for their own ends, not for any good meant to the *Goths*, and that if they remained Conquerours, they would turn Lords, and domineer over them. He thought it most fit and equal, that if the *Goths* possessed not *Italy*, the ancient owners should recover and enjoy it, and governed by these Reflexions, he came to *Narses*, and gave him the Keys of *Cumæ*, thereby delivering both that City and the Treasures of the *Goths* into his Hands. *Narses* joyfully and courteously received him, and caused him to go to *Nissene*, there to shew himself upon the Walls to the *Franks*, that they might see their expedition to *Cumæ* would be insignificant, the Riches of the *Goths*, and all the considerable Places being now in the power of the Emperour's Officers. And they indeed were startled by seeing him there, perceiving how matters were ordered, and sate in Council, seriously considering, whether they had not best to retreat, and decline the War, upon which they must enter with much disadvantage. But that Party prevailed which was for staying and pushing for *Italy*, let the success be what it would. Then did they licentiously forage and plunder the Countrey with Two thousand men coming near the Walls of *Ariminum*, where *Narses* being at that time, and beholding some of them straggling from a Turret, could not hold, but mounting on Horseback, called on such Souldiers as he met to follow him. About three hundred accompanied him into the field, whom the *Franks* seeing, united themselves in a close body, so as they could not be broken, and therefore the *Romans* plyed them with darts afar off. But this not breaking them, and they refusing to stir, he caused his men to counterfeit a flight, which they beholding, made after them as fast as the could follow, and then the *Romans* turned about, made head against them, and by a sudden and unexpected Assault so terrified them, that they cut off nine hundred men, and caused the rest to run away. After this *Narses* returned to *Ravenna*, where having set all things in good order, he removed to *Rome*, and there passed the Winter.

Cumæ and the Treasures of the *Goths* delivered up to him.

230. At the beginning of the Spring, thither all his Forces repaired according to order, where he caused them to be Exercised, and continually trained to all points of War, to shake off any indisposition which in Winter they might have contracted. The Barbarians in the mean time, (so the Imperial Writers call all but the Emperour's Subjects, and especially the Northern Nations, which poured themselves in upon the *Roman* Territories,) made their Inrodes into all the Country, pro-

Agathias, lib. 2.

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The *Franks* forage *Italy*.

proceeding leisurely that they might make the greater Depredations. They peirced as far as *Samnium* in one body, but there dividing their Forces, they foraged all quarters of *Italy* to the straits of *Rhegium* on one side, and the City of *Otranto* on the other. *Leutharis* (whom *Lazius* calls *Rabaris*,) having taken the way of *Apulia* and *Calabria* to *Otranto*, when he had sufficiently inriched himself with Plunder, had enough of the War, and resolved to return home with his Booty, and then send his Army to the assistence of his Brother *Butilinus*, who would not be drawn back till he had discharged himself of the Oath made to the *Goths*. But in his Retreat through *Picenum*, he lost many of his men, who were surprized by the *Roman* Forces, lying then about the City *Pisaurus*, and afterward crossing the *Poe* into *Venetia*, both he and his Army were seized with a great Plague, which dispatched him amongst the rest by strange symptoms, for he fell Distracted, raved like a mad Dog, and tore the flesh from his own Body; being thus punished by the just hand of God, for his Injustice and Rapine, as *Agathias* cannot but observe. In the mean time, *Butilinus* (by *Lazius* called *Baldvinus*,) having wasted all as far as *Rhegium*, returned towards *Rome*, where he heard that *Narses* had got his Army together, whom he intended to ingage as soon as possible, because he having prudently removed all Provisions out of the Countrey, the *Franks* were constrained to supply their want with Grapes, it being now the beginning of Autumn; which unwholesome food had brought most of them into a Flux, killed some, and he feared would make an end of more, and lessen the number of his Forces. Being arrived in *Campania*, he pitched his Camp not far from the City *Capua* upon the River *Casulinus*, which flowing from the *Appennine* Mounts, empties it self into the *Tyrrhenian* Sea, having it for a Rampart on one side, and with his Carriages and other materials, blocking up all access on the other; the Bridge also he seized, and fortified it as he saw convenient. *Narses* hearing where he was, hasted from *Rome* to incounter him, and sate down also at a convenient distance.

231. The Armies thus placed in view of each other, the *Franks* began according to their Custome to make incursions, to forage and plunder; which *Narses* observing and thinking it a disgrace to suffer them to doe it under his Nose, he gave order to *Chanaranges* an *Armenian*, whose Regiment was placed next the Enemy, to intercept their booty, and to put a stop to their confident pilferings. He accordingly seized on several Carriages they were bringing to the Camp, and killing the Convoyes, drove one of them that was loaded with Hay to the Bridge, where setting it on fire, he burnt down the Turret which the *Franks* had newly Erected, and made himself Master of the Passage. Such as were set to the defence of the Turret, hardly avoiding the flames, retired in a great fright to the Camp, where the Fire being also seen, all the *Franks* fell into a great rage, and with disdain and the greatest height of confidence, required instantly to be led out to Battel. *Narses* also upon notice given, was not backward to Marshall his men, and being now mounted, and ready to set forward, complaint was made to him, that a certain *Herulian* of good account had killed his Servant, upon some slight occasion. The man denied not the Fact, confidently maintained what he had done, and asserted his power over his Slaves, to extend to Life or Death as he pleased. But the General conceived himself obliged to make an atonement for bloud, by the bloud of him that shed it, and commanded the Crime to be expiated by the Death of him that committed it. Hereupon the *Heruli* were sore offended, and resolved to give him no assistence in the fight, moreover two of them fled to the Camp of the *Franks*, acquainted them with the Accident, and advised them to fall on whilst the tumult, (for they made full account that would follow,) still continued. *Narses* little solicitous whether the *Heruli* followed or not, led on to an ingagement; but *Sindual* their Captain seriously confidered that for respect to a dead man, he and his Countreymen were not to be branded with Revolt and Faction, and desired the General to stay a little for him. He told him he would not stay, but in case he came, he would leave a place for him and his *Heruli*, though he should arrive a little with the latest.

232. The *Franks* incouraged by the Story told by the two *Heruli*, made on with more haste than good speed, being in all thirty thousand fighting men, formed into the likeness of a Wedge, the figure of the letter Delta, or the shape of the head of an Hog, as our Authour observeth. The *Roman* Battalion consisting of scarce eighteen thousand, was Marshalled with two Wings, and a main body of Foot, amongst which was left a void place for *Sindual* and his *Heruli*. Into this void place, when the Armies came to joyn the *Franks* peirced, which the *Roman* General perceiving, gave order to his Wings that they should receive, and then close upon

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them, by which means ſuch as ſtood in the middle being uſeleſs, and thoſe on the outſides laid at from all quarters, the number of them was ſtill by degrees diminiſhed, and when the *Heruli* came to take Poſſeſſion of their place, ſuch Slaughters were made, that *Butilinus* and his whole Army, being caught as it were in a Net, were every one cut off; five *Germans* onely eſcaping home; yet of the *Romans* were Slain but eighty men, and thoſe were ſuch as ſuſtained the firſt fury of the Enemy. All the *Romans* did ſingularly well, and of the Barbarians, *Aligern* the *Goth* who was preſent at the Fight, and *Sindual* Captain of the *Heruli* did eminent Service; but all admired and extolled the General, by whoſe wiſedom and Conduct, they acknowledged they had obtained ſo great Glory. Taking then the rich Spoils of the Enemies Camp, the victorious Army marched to *Rome*, where having the News of the deſtruction of *Leuthari* and his Forces, they could not contain themſelves for joy, which they expreſſed in Feaſts, Dances, and all other ways they poſſibly could. And there was great danger the *Romans* ſhould ſurſeit of this their good fortune, for now conceiving that they were rid of all their Enemies, and that the coming of more was not to be feared; they gave up themſelves to Luxury, and all effeminate practices, being ready to exchange their Swords and Helmets for Barrels of Wine, and Inſtruments of Muſick. But *Narſes* as a wiſe and skilfull Phyſician, ſaw there was neceſſity of applying ſome thing that ſhould be preventing to this growing Diſtemper. And by a ſeaſonable and prudent ſpeech, ſo convinced the Souldiers of their folly, that repenting of their looſe kind of Life, they betook themſelves to their wonted Exerciſes, and former Auſterities.

Butilinus and his Army Cut off.

233. But a company of *Goths*, to the number of ſeven thouſand men, conſcious of their guilt, and deſpairing of the Clemency of the *Romans*, ſecured themſelves in a Fort called *Campſæ*, being headed by one *Regnares* by Birth an *Hunne*, of that ſort called *Vittores*, who to raiſe his Fortunes, animated them to this deſperate courſe, and perſwaded them never to yeild themſelves. *Narſes* preſently was there with his whole Army, and perceiving there was no ſtorming the Caſtle, reſolved to begirt and ſtarve them out, yet having laid in abundance of Proviſions with all their Wealth, they bore it out with much chearfulneſs all the Winter. When Spring came, *Regnares* was reſolved to try if he could make a better Market with *Narſes*, and at his deſire a conference was granted. But the General perceiving, his pride and ambitious reaches, refuſed to grant what he demanded, and ſent him back, whereat inraged as ſoon as he was got upon the Hill, and near the Wall, he let flie an Arrow at *Narſes*, which hit neither him nor any other, but thoſe of his Guard, being out of patience, ſent a ſhower of Darts after him, wherewith he was mortally wounded, and being carried into the Caſtle, died two days after. Then did the beſieged ſend to the General, and begging his pardon, yeilded to quarter, which he gave them becauſe of his Oath, but leſt they ſhould raiſe any more troubles, he ſent them all to *Conſtantinople*. At this time great Earthquakes happened, in that City and ſeveral parts of the Eaſt; particularly *Beritus* that beautifull eye of *Phœnicia*, and famous Univerſity for the ſtudy of the *Roman* Laws was overthrown, and multitudes of its Inhabitants buried in the Ruines, which cauſed the Students to remove to *Sidon* near at hand, till it could be reedified. *Alexandria* alſo in *Ægypt* to the wonder of all men, (that Countrey being counted free from ſuch accidents,) felt the power of theſe ſubterrane Vapours, or what other cauſe there may be of ſuch Concuſſions, and the poor Iſland of *Cous* was miſerably ſhaken, as *Agathias* himſelf an eye witneſs informeth us, who chanced then to travell that way, toward *Conſtantinople* from *Alexandria*, where ſtudying the Law at that time, he perceived amongſt others, that City to quiver and ſhake, to his great terrour and aſtoniſhment.

Campſæ yeilded

Great Earthquakes.

234. In the mean time, whilſt things thus proſperouſly went on in *Italy*, the *Perſians* in *Lazica* under Conduct of *Mermeroes*, advanced their affairs, and the *Romans* ſuffered themſelves to be fooled out of a ſtrong place, which hitherto they had held in that Countrey. For *Mermeroes* not being able to take by Aſſault the Caſtle of *Telephis*, of which *Martinus* was Governour, the Souldiers diligence and Circumſpection, together with the natural ſtrength of the Place, defeating eaſily all his Indeavours, he counterfeited himſelf ſick, and cauſed it at length to be reported that he was Dead, on purpoſe that it coming to the Ears of the *Romans*, they might neglect their Guards, omit their Watches, and thereby preſent him with ſome notable opportunity. The Plot took as he had laid it, for they believing the *Perſian* General to be Dead, concluded it folly to put themſelves to any farther trouble, whereby he ſo gained upon them, that perceiving they were now in his

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in his power, and that he would preſently become Maſter of the Place, they fairly forſook it, and betook themſelves to their Friends, the *Roman* Army, which then lay incamped but ſeven Furlongs off, Commanded by *Beſſas*, and *Juſtinus* the Son of *Germanus*. But all of them came not ſafe to the Camp, *Mermeroes* falling upon their Rere, ſome of them were intercepted and ſlain, and the reſt in a pannick fear, running to the Army, brought news of the approach of the *Perſians*, and ſtruck them all with ſuch amazement, that the Officers could neither give, nor the Souldiers receive any Directions, but in confuſion all ran away, to an Iſland an hundred and fifty Furlongs off, whither *Mermeroes* thought it not convenient to follow them. For he neither had Proviſions, nor was otherwiſe furniſhed for a Siege, and therefore reviling the *Romans* for their Cowardiſe, he made a Bridge over the *Phaſis*, and paſſing over all his Army, returned into the Province of *Muchiriſis*, where he Died not long after. He was a man both of great perſonal Valour, and of excellent Conduct. Being old, and of a long time lame of both his Feet, ſo that he could not Ride, yet he forbore no ſorts of Labours, but carried in his Litter to the Fight, both terrified the Enemy, and incouraged his own men, and otherwiſe diſcharged all the parts of a General, ſo as he obtained many Victories. But Dead, he had the Burial in uſe at that time with his Countreymen, which was to be expoſed naked in the Air, to greedy Dogs, and other Ravenous ſorts of Creatures.

The *Romans* quit *Telephis* in *Lazica*.

Mermeroes Dies.

235. *Choſroes* much concerned for the Death of *Mermeroes*, that his Forces might not be without an Head, and miſcarry for want of Government, made *Nachoragan* General in his Room, a man of great Repute for Military Matters. Whilſt he prepared for his Journey, great Heart-burnings and Quarrels aroſe in *Lazica*, betwixt King *Gubazes* and the *Roman* Officers, which ſtill increaſed by degrees to ſuch an Height, that at length it procured his utter Deſtruction. The firſt occaſion was the Cowardiſe and flight of the *Romans*, which the King bore ſo ill, out of reſpect to the wellfare of his Countrey, that he complained thereof by Letter to *Juſtinian*, who being formerly offended with *Beſſas* for quitting *Lazica*, when he ought to have ſtopped up the Avenues from *Iberia*, turned him out of Command, and confined him for the preſent into the Territories of the *Asbagians*. *Martinus* was as much to blame for Negligence, as he for Covetouſneſs, yet he removed not him, but placed *Juſtinus* next to him, and *Buzes* was the third in degree; but there was a *Quæſtor* called *Ruſticus* then with the Army, not being employed to gather any of the Emperour's Revenue, but having charge of the Money paid out of his Coffers, for reward and incouragement of ſuch as behaved themſelves Valiantly in the War. This *Ruſticus* joyned with *Martinus* in his enmity to *Gubazes*, who perceiving how they ſtood affected to him, ceaſed not however to imbitter them by continual reflexions upon their careleſs and imprudent management of Affairs. They reſolved not to endure it, and ſtill keeping in mind, what he had written to the Emperour againſt them, reſolved to remove him out of the way, and that quickly, by ſome means or other.

Agathias lib. 3.

Nachoragan made General in his room.

Quarrels betwixt *Gubazes* and the *Roman* Officers.

236. But upon a long and ſerious debate, at length it was reſolved, to ſend and accuſe him of Treachery to *Juſtinian*, and of a Conſpiracy with the *Perſians* againſt his Intereſt, thereby either to procure Orders to make him away, or at leaſt render the Fact excuſeable, and obtain Connivence. *John* the Brother of *Ruſticus*, was the Meſſenger, who telling ſuch a tale to *Juſtinian*, he was much ſtruck with the Story, but recollecting himſelf, and knowing what Malice there was betwixt *Gubazes* and his Officers, did not fully believe it, but holding a middle courſe, replied that if it was ſo, he would have him ſent up to *Conſtantinople*. *John* apprehended preſently, that if he ſhould come up, the Cheat would be diſcovered, and therefore asked him, whether, in caſe he refuſed to come, he were not to be compelled. The Emperour ſaid, yes, being a Subject, and that he ſhould be ſent with a ſufficient Guard. Again, *John* demanded what was to be done with him, in caſe he reſiſted; *Juſtinian* anſwered, he was to be ordered as a Tyrant, and ought as ſuch to periſh miſerably. Then, ſaith he, the man ſhall need to fear nothing that kills him; nothing, replied the other, if making reſiſtence, and refuſing to obey, he periſh as an Enemy. He having got ſuch an anſwer, and Letters written to the Officers in *Lazica*, to the ſame purpoſe, they thought they had a ſufficient bottom for what they deſigned, and therefore ſent for *Juſtinus* and *Buzes*, who knew nothing of the Conſpiracy to accompany them to *Gubazes*, and be preſent at the Execution. *Gubazes* being ſent to, readily met them, to whom *Ruſticus* ſpake, and bade him joyn his Forces with theirs, and ſet upon *Onogoris*, a certain Fort which he ſaid it was a ſhame ſhould continue in the *Perſians* hands, lying as it did

Sect. 1. in the midſt of the Countrey. He according to his Cuſtome fell foul upon them, and reviling them for their Cowardiſe and Negligence, ſaid the fault was theirs, that that Fort was not already reduced, and he plainly told them, he would neither follow, nor accompany them in any Enterprife, till they had made amends for what they had formerly done amiſs. This would they take as a Demonſtration of his Revolt to the *Perſians*, and thereupon immediately Murthered him in the place.

They Murther him.

237. All *Lazica* was preſently in an Uprore, the Inhabitants of which ſenſible of the Affront, refuſed any more to keep company with the *Roman* Souldiers, *Juſtin* and *Buzes* ſhook their Heads, aſtoniſhed at ſo horrid an Act, but contained themſelves, imagining that certainly they had received ſome ſecret Order and Warrant from the Emperour. The Regicides to divert theirs, and the thoughts of others, from what was now done, as alſo to ingratiate themſelves with *Juſtinian*, reſolved to ſet upon the Fort *Onogoris*, ſo called of old time from the *Onoguri*, or *Hunnes* there defeated in Battel, but ſince that it was named the Fort of St. *Stephen*. Having begirt it round, and playing with their Engines, a ſuſpicious Perſon was taken and brought to the Camp by *Juſtin* his followers, who upon Examination proved to be a *Perſian*, and was ſent to ſignify to his Countreymen in the Caſtle, that *Nachoragan* would preſently be with them, having already reached *Iberia*, and that ſuch *Perſians* as lay in *Muchiriſis* and *Cotæſum*, were upon their way in order to their Releif. A Council of War was inſtantly called, and the Officers ſpake their opinions. *Buzes* adviſed that they ſhould go with their whole Army, and meet the approaching Succours, which having defeated, as there was no danger but they ſhould, *Onogoris* deſtitute of releif, would fall in eaſily of it ſelf; and there wanted not who were of his Opinion, in particular *Uligangus* Captain of the *Heruli*, who uſed that blunt but ſignificant Proverb, that drive away the Bees, and then with eaſe they might gather the Honey. But *Ruſticus* very malapertly fell foul upon *Buzes*, upbraiding him with a general weakneſs in Council, and urged vehemently that they might ſtay and take the Fort, and ſend a Party in the mean time, to put a ſtop to the *Perſian* Succours. This his Advice was approved, and the good Council of *Buzes* rejected by the Generality, becauſe the Multitude poſſibly having contracted ſome guilt in reference to the bloud of *Gubazes*, from Juſtice it ſelf as *Agathias* obſerves, was to have a miſcheif.

238. In purſuance of the order, ſix hundred Horſe were ſent againſt the Forces coming from *Muchiriſis*, under Conduct of two Barbarian Commanders, who falling upon them unawares, and out of order, put them to flight, though they were three thouſand men, for they imagined that the whole *Roman* Power as it was their Intereſt, was come upon them. But when they perceived their Errour, and that they had to deal but with a ſmall Party, they ſtood their ground, faced about, and making head, by an eaſie reſiſtence, beat back and purſued the Purſuers; who meeting with ſo unexpected a freſh Charge, were neither able nor willing to endure the ſhock, but fled amain back to their Friends, who were now buſily employed in the Siege of *Onogoris*. Here they fell tumultuouſly, and pell-mell upon the Beſiegers, when they did not think of it, who, a mighty tumult being thereupon raiſed, with great fear and Conſternation, quitted the Leaguer and ran away with their flying Friends, as faſt as their Legs could carry them, which the *Perſians* in the Fort obſerving, iſſued out and joyning in the Chace, did conſiderable Execution, eſpecially at a Bridge laid over the River *Catharus*, over which the Running Army muſt neceſſarily paſs. In probability they had all been cut off, (fifty thouſand, by no more than three,) if *Buzes* had not rallied his men, and making head againſt the Purſuers, gained ſome time for them to paſs over. The *Perſians* in their Entrenchments before the Fort, found good Plunder, and all the places thereabout forſaken by the late Inhabitants, who leaving their choiceſt things behind, thought it enough they could eſcape ſo with their Lives. Now the Winter came on, and the Souldiers were diſpoſed into their Winter Quarters.

The *Romans* defeated.

239. In the mean time, the moſt conſiderable *Lazians* had great Diſputes amongſt themſelves, what courſe to take, and the people was wholly unſetled and diſſatisfied. The Nobility when they thought the *Romans* leaſt minded them, having their hands and heads full enough ſince the late Defeat, called the Multitude together into a Valley near a part of Mount *Caucaſus*, as moſt out of the way, to conſider whether they ſhould ſtill adhere to the *Romans*, or be revenged upon them by aſſociating themſelves with the *Perſian* King. A great Noiſe and tumult happening, when with much adoe ſilence was obtained, one *Æëtes* ſtood up, a man extremely addicted to the *Perſian* Faction, who with vehement words, inflamed the

Sect. 1. the multitude againſt the *Romans*, taking occaſion from the death of *Gubazes* to tax them with all that favoured of Ambition and Cruelty. On the other ſide he commended the manners and diſpoſitions of the *Perſians*, put the People in mind they were the Poſterity of the ancient *Colchi*, who could not brook any thing that favoured of Diſgrace or Slavery, and by the late defeat ſo vilified the Courage and Conduct of the *Roman* Governours, that the multitude inraged and impatient of delay, required that his Advice might be ſpeedily put in execution. And this had been done, though the *Romans* were at hand, and they had all poſſibly periſhed in the attempt, had not the folly and raſhneſs of *Æëtes* been ſpeedily detected by another of the Company, called *Phartazes*, who firſt mightily inculcated this Doctrine, that nothing raſhly was to be reſolved. Having let them ſee the inconvenience of the contrary practice, by little and little he inſinuated his opinion, that by no means were they to join themſelves with the *Perſians*, uſing Arguments drawn from the difficulty of the thing, the inconſtancy of Fortune in War, (though in the late Action ſhe had favoured the *Perſians*,) but eſpecially by Motives taken from Religion, and the ſafety of their Souls, which he ſhewed muſt needs be in danger, if the Infidel *Perſian* ſhould once come to reign over them. In concluſion, he argued that it was unjuſt to condemn any before they were heard, affirmed it to be his opinion, that neither the Emperour, nor other of his Officers, beſides *Martinus* and *Ruſticus*, had an hand in their King's death, and, as a mean, propounded to ſend to *Juſtinian* their Complaint, and a Demand of Juſtice, from whom if they ſhould receive ſatisfaction, then to continue quiet, if not, to doe as Piety, and the Exigency of their preſent Affairs ſhould require.

240. His prudent Speech quieted their minds, and made them change their Reſolutions, eſpecially moved thereunto by his Argument taken from Religion. And preſently certain ſelect Perſons were ſent to the Emperour *Juſtinian*, who readily gave them ſatisfaction, ſending down *Athanaſius*, to inquire into the Murther, and puniſh it according to the *Roman* Laws; as alſo in another thing they requeſted, which was the granting of *Tzathes*, the younger Brother of *Gubazes*, to be their King, to whom, as the cuſtome was, he delivered the uſual Enſigns of Royalty. The late ſorrow of the *Lazians*, upon his Promotion, was turned into exceſſive joy, and he entring upon the Government, ruled according to the Cuſtoms of the Countrey. *Ruſticus* and *John* were by *Athanaſius* committed to cuſtody in the City *Apſarunthis*, in order to their Tryal; but an ill accident befell one *Soterichus*, who had accompanied him from *Conſtantinople*. He was ſent by the Emperour with a great ſumm of money, to be diſtributed, according to the ancient cuſtome, amongſt ſuch Barbarians as bordered upon the Empire, to purchaſe their friendſhip and ſociety in War; and in purſuance of his Truſt, was to paſs through the Territories of the *Miſimians*, a People ſubject to the *Lazians*, and inhabiting toward the North-Eaſt of them. They imagined he came to ſeize on one of their Forts, to deliver it up into the Hands of the *Alans*, and ſent ſome to require him to depart thence, promiſing, in caſe he would ſo doe, to furniſh him with neceſſaries for his Journey. He diſdaining they ſhould ſo uſe him in the Character he was, cauſed his Followers to beat the Meſſengers, who being men of good Account, and inraged at the diſgrace, ſtirred up the People againſt him, and in the night, while he ſlept ſecurely and confidently in the place, ſlew him, with his two Sons, and moſt of his Company. When the heat was over, and they came to conſider in cold bloud what they had done, they too late repented; for they could not but expect the *Romans* to come and revenge the injury. Therefore, to prevent it, they revolted, and ſent to the *Perſians*, to deſire they might be taken into their protection, promiſing to be obedient to their Commands. The *Roman* Officers in *Lazica* were much troubled at the News, but could not require ſatisfaction, being taken up with matters of a far higher nature.

Tzathes, Brother of *Gubazes*, made King of the *Lazians*.

Soterichus murthered.

241. For *Nachoragan* with full ſixty thouſand men, by this time drew near the Iſland where the Forces were incamped under *Martinus* and *Juſtin*, the Son of *Germanus*. *Martinus*, aware of his coming, had placed two thouſand *Sabirian Hunnes* near *Archæopolis*, to ſtop his paſſage, againſt whom he ſent three thouſand of the *Dilimnitæ*, a moſt warlike ſort of People, inhabiting *Perſia*, within the River *Tigris*, who thinking to come upon them unawares, and in the night, when they were all aſleep and ſecure, had certainly deſtroyed them, but that taking a *Lazian*, whom they met by chance, for their guide; he leading them through the Woods, took the advantage the darkneſs of the night afforded to ſlip from them, and coming to the Camp of the *Sabirians*, rouſed them from their ſleep, and gave them warning. They forſaking then the former place of their incamping, diſpoſed of

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A Party of *Persians* defeated.

242. Now did the *Persian* General besiege the City; some were busie in shooting at those that appeared upon the Battlements, others employed in filling up the Ditches, and some in moving the Engines for Battery to the Walls. *Martinus* and his *Romans*, were looked upon by *Nachoragan* but as a company of Sheep driven up into a Pownd; and he considering what a multitude he had to deal with, thought it was requisite to employ his Wits more than his Hands. He counterfeited Letters sent from the Emperour, which intimated, that he, out of his abundant care, had sent another Army to their assistence, though he knew such was their valour, that they would not stand in need of it. Hereupon he took occasion to storm, that he and his Fellow-Souldiers having born the heat of the day, and sustained all the labour and travel, others should be sent to reap the fruit of it, and now they had even almost obtained the Victory, to wrest the Laurel from off their Heads; and he told them that his opinion was, there should be some sent to stop them at the River *Neognus*, where they lay incamped, but four *Persian* Parasanges distant from the City. They, incouraged with the News, all cried out, the thing was to be done, being unwilling any others should partake of their booty; and the rumour of this fictitious fresh Army coming to the Ears of the *Persians*, had the quite contrary operation upon them, filling them with terrour and dejection. *Nachoragan* sent a Party to lie in the way, and to stop the passage of these No bodies, till he should take *Phasis*; and setting a considerable number of substantial Souldiers to combate with these men of Air, deprived himself of the use of a very good part of his Army. Yet being a man of an arrogant humour, he made himself cocksure, and triumphed before the Victory, openly boasting that before it was night, he would rid his hands of *Phasis*, and the *Romans*, by setting fire to the Town, and burning both it and the Army together.

243. In pursuance of this Resolution he prepared for an Assault with all the vigour and diligence imaginable. *Justin*, the Son of *Germanus*, in the mean time, betook himself to the best means of resistence, going to a Church not far distant from the City, with a Party of the stoutest Foot, and five thousand Horse, where he put up his Prayers to Almighty God, the giver of all Victory. In the mean time the Assault of the City began, wherein was nothing omitted becoming either the Courage of the Assailants, or the Resolution of the Besieged. *Justin* at his return from his Devotions, perceiving what was in hand, cauled his Men to set up a great shout, and fall upon the backs of the *Persians*, who thinking verily it was the same Army which *Martinus* had feigned to be sent from the Emperour, and to lie incamped by the River *Neognus*, began in a tumultuous manner to retire from the Walls, and at length drew off quite from the Siege. The *Romans* made what advantage they could of their flight, and routed quite one of their Wings; but the other fought stoutly, and made effectual opposition, being guarded by their Elephants, which hindred the Horse from doing any considerable Execution, till such time as *Ognarus*, one of *Martinus* his Guard, seeing himself in great danger to be destroyed by one of the Beasts, struck at him with his Javelin, which he left sticking in the lower part of his Forehead, near his Eyes. The Elephant inraged with the pain, and impatient to have the Javelin sticking and hanging at his Face, bore down all before him, tearing the Horses, and trampling on the Men, so that their Ranks were broken, and the whole Wing so disordered, that their General, how confident and arrogant soever before the Assault, now both by words and example moved them to flie, and away all ran to their Camp, with the *Romans* at their heels, who so far gave the chase as *Martinus* thought it was convenient.

The *Persians* raise their Siege from before *Phasis*.

Run away to their Camp.

244. Ten

Twelve thousand of them slain.

244. Ten thousand *Persians* in this Action lost their Lives, besides two thousand more, which *Nachoragan* by his mere folly and arrogance destroyed. He had sent them to cut down Wood, and fetch other materials for the Siege, with order, that as soon as they saw a smoak arise, they should presently return to assist in the Assault, and share in the Plunder; for he boasted that he would quickly set the Walls and Ramparts on fire. But now when he was thus shamefully beaten, the *Romans* returning, set fire to all his Engines, and other materials, which they seeing at a distance, in all haste and disorder returned, lest they should come after the Feast, as *Agathias* expresseth it, and so falling into their hands they least expected, were all of them cut in pieces. The *Romans* took the Plunder of the Field, which was very rich, and honourably buried their dead, the number of whom amounted to some two hundred. *Nachoragan* afterward made as though he intended to give Battel; but setting the *Dilemnitæ* in the Trenches, to make an appearance of his stay in the Camp, he, with the rest of the Army, stole away to *Cotæsium*, and so marcht into the Province of *Muchirisis*. When he had passed the half of his way, and was out of danger, they being lightly armed, strong, and nimble of body, retired also. And after them came that Party which had been sent to watch for the Chimerical Army at the River *Neognus*, understanding what had happened to their Friends before *Phasis*, and by privy and intricate ways, at length, got also into *Muchirisis*; where all the *Persian* Forces now being met, *Nachoragan* leaving the greatest part of the Horse, and to command them, *Wafrises*, a man of great Repute, himself with a few in company, went and wintered in *Iberia*.

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Nachoragan steals away.

245. All being now in repose in *Lazica*, it was thought fit to call *Rusticus* and his Brother *John*, the murtherers of *Gubazes*, to their Tryal. For this purpose all sorts of Officers had been sent from *Constantinople*, and a very formal process was made. *Athanasius*, the Judge, appearing in his Robes, like a Prince seated upon an high Throne. There were Scribes, Cryers and Lictors, who brought their Irons, Gives, Fetters, and other instruments of Torture and Examination, into the Court: On the left hand stood the Prisoners and over against them the Accusers; the Judgment being ordered, with this state and solemnity, by *Justinian*, both to strike the beholding *Lazians* with more Awe and Reverence towards his Laws and Government, as also to give them full satisfaction, however the matter should be determined and judged, so much adoe being made, and such pains taken, to give them content in what they desired. Some of the wisest *Colchians* appeared as Accusers, who first desired that the Emperour's Letters, written to the Conspiratours, might be read; which being to the same effect as formerly we mentioned, they thence took occasion to shew how they had acted without any order, and killed him merely out of Revenge and Malice. *Rusticus* coming to answer, insisted chiefly upon this, that he had killed neither a King nor a Friend, but a Tyrant and an Enemy, alledging that he envied the Prosperity, and insulted in the defects and miscarriages of the *Romans*, betraying their Affairs to all the Barbarian Nations round about, and to the *Persians* especially, with whom, he said, he held a correspondence. In conclusion, he affirmed nothing had been done without the knowledge, approbation and conjunction of *Martinus*, and put such false colours upon the Fact, that the Judge at first, not able to distinguish them from true, gave an ear to what he said, till having twice debated the matter, he found that *Gubazes* had been no Traitour, neither what he refused to doe in the business of *Onogoris*, proceeded from any Intelligence or Confederacy he had with the *Persian*, but out of Indignation against the *Roman* Officers, fault of whom it had been that that Fort was not already reduced. He then pronounced sentence, that *Rusticus* and *John* should be beheaded, referring the matter of *Martinus* to the cognizance of the Emperour. When the *Lazians* saw them carried upon Mules to their Execution, and all the solemnity and terrour thereof, they were sufficiently satisfied with the punishment of these two, and continued very quiet, and observant of the *Romans*.

Agathias, lib. 4.

The Murtherers of *Gubazes* beheaded.

246. The Spring following the *Roman* Commanders resolved upon an Expedition against the *Missmiani*, who had killed *Soterichus*, and revolted to the *Persians* upon that occasion. *Buzes* and *Justin* were left in the Island, and four thousand Men drawn out for this service, who, according to order, but ill commanded, marcht away to the Countrey of the *Aphilians*. Here the *Persians* interposed, having had intelligence of the design, and stopt their passage all the summer; but Winter coming on, they fairly retired, their Laws and Customs not binding them to be out on service in that unpleasant season of the year. The *Romans* now being rid of them, and having free passage, sent Messengers to the *Missmians* to advise them to bethink themselves, and by an early repentance prevent that misery and

deso-

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deſolation which muſt neceſſarily fall upon them, having to doe with ſo potent an Enemy, and being now deſtitute of their friends the *Perſians*. But they, preſuming upon the unpaſſableneſs of their Countrey, and the ſteepneſs and ruggedneſs of the Mountains, were ſo far from relenting, that, contrary to the Law of Nations, they killed the Meſſengers, being Men of Repute amongſt the *Apſilians*, their Neighbours, and who ſpoke nothing harſh or unreaſonable, but, in a civil obliging manner, laid before them the danger into which they would infallibly caſt themſelves. The *Roman* Army therefore, animated with great Diſdain and Anger, marches againſt them, but does little good for want of a ſufficient Commander, ſome ſpeaking one thing, ſome another, and every one abounding in his own ſenſe. At length *Martinus*, who had been on the way himſelf, but, falling ſick, was forced to return, ſent them one *John* a *Cappadocian*, commonly called *Daixas*, who, obſerving that all the *Miſimians* had betaken themſelves to one Hold, preſently laid Siege to it.

The *Miſimians* beſieged.

247. This Fort being ſeated upon Rocks, at the bottom thereof were pleaſant Springs, whence the beſieged, in the night, and by ſtealth, fetched their water. This was taken notice of by one *Illus*, an *Iſaurian*, who followed them ſo far up, till he perceived the path how it lay, and then revealed his diſcovery to *John* the Commander. He ſent with him an hundred choice men, who eaſily mounted the Rock ſo far, till they could ſee the Centinels lie all aſleep by a fire ſide; but then it happened, that one of them falling, and his Target breaking, made a noiſe, which awakened theſe Guards, and made them all buſtle and take their Weapons. But being by the fire ſide, they could not ſee thoſe in the dark, and they knowing in what danger they were, ſtood ſtill, ſo fearfull of making any noiſe, that they durſt hardly draw their breath; for they were not yet got fully up, and had the Centinels diſcovered them, they might, by the tumbling down of one huge and maſſy ſtone, whereof there were plenty, have broken their bones in pieces. But they continuing mute, and ſo firm as if growing to the place, and no more noiſe being heard, the Guards, who being formerly aſleep, could not gueſs what the matter was, betook them to their reſt again, which ſeeing, up they went, ſoon cut their Throats, then entred the Fort, killed all they met, and ſet the Houſes on Fire. The *Miſimians* had given too juſt occaſion to be ſeverely dealt with, but they neither ſpared Women, nor the tender Infants, which were not guilty of the fault of their Parents, but daſhed them againſt the rocks, and toſſed them on their Spears at their pleaſure.

248. All the night they ſpent in this work, ſecure, as they thought, of any Enemy. But five hundred ſtout *Miſimians*, who had iſſued out of the Fort, ſet upon them unawares by break of day, and killing ſome, wounded more, but made all run in great diſorder to the Camp, where it was reſolved no more to attempt the Town by way of the Rock, but to ſet to their Engines of Battery, and attack the Fort. Herein they had ſuch ſucceſs at the beginning, that the beſieged, fearfull of what ſhould follow, ſent to beg pardon, acknowledging their crimes had been great, but pleading the exceeding greatneſs of their puniſhment; for their Houſes were wellnigh all burnt, they had loſt five thouſand Men of the flower of their Nation, beſides Women and Children, ſo that the Name of the *Miſimians* was not far from being quite obliterated. *John*, for this Reaſon, was content to receive them to terms, and the rather, becauſe of the coldneſs and barrenneſs of the Countrey, which afforded but little Accommodation for the Army. Paying therefore all the money back they had taken from *Sotirichus* with the Emperour's Gold, and other things, they gave Hoſtages, and were permitted to live under the obedience of the *Roman* Empire, as formerly. And the victorious Army returned into the *Colchian* Countrey, having loſt no more than thirty Men. After this *Juſtinian* removed *Martinus* from all his Commands, bearing him, and that deſervedly, ill will ever ſince the death of *Gubazes*, and reſolving in time to be even with him; but he wiſely concealed his Indignation for the preſent, knowing him to be a Man much beloved by the Souldiers, conſidering the ficklenеſs of Affairs in *Lazica*, and his Skill in matters of War, and eſpecially his good Conduct of late, which was the cauſe that he was not involved as well in the puniſhment as he had been in the crime relating to *Gubazes*. In his place was *Juſtin*, the Son of *Germanus*, made General, with full authority over all the Forces throughout the *Colchian* Regions and *Armenia*. Being the Emperour's near Kinſman, he ſent for him to *Conſtantinople*, and there putting the whole power into his Hands, cauſed him to return back into *Lazica*.

Are brought under again.

Juſtin made General in the room of *John*.

249. But

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249. But *Choſroes* King of *Perſia* was inraged at *Nachoragan*, for what had happened at the City of *Phaſis*, and commanding him to repair to his Preſence, cauſed him to be flay'd alive, which done, his skin was hung upon a Rock, diſtended in it's full Proportion, and there it remained a Spectacle of the Cruelty of the King, as well as of the Cowardiſe and Indiſcretion of the General. Afterward conſidering how the *Romans* were Maſters at Sea, he thought it would be to little purpoſe to ſend another Army into the *Colchian* Countrey, for his Men found it moſt difficult to come by any Proviſions, whereas the *Romans* had all things at their Pleaſure imported to them. Therefore he judged it moſt Convenient for his Affairs to make Peace, and for that purpoſe ſent an Ambaſſadour to *Conſtantinople* called *Zich*; who, after much debate on both ſides, came to this appointment with the Emperour, that the *Romans* and *Perſians* ſhould hold and enjoy ſuch places, as they were at preſent in Poſſeſſion of, by the right of War, and keep themſelves quiet, and forbear all Acts of Hoſtility, till a more ſtrict and perfecter League could be agreed on, betwixt the two Princes. The Commanders on both ſides having notice, and receiving Orders conformed themſelves unto them, and what before was done voluntarily, now became neceſſary by agreement.

Nachoragan flayed alive.

250. Wearied with the Cares and the ſeveral Accidents of War, theſe powerfull Princes thus ſheathed their Swords, and continued quiet a long time after. Although the firſt overture came from *Choſroes*, who was utterly diſcouraged by the defeat at *Phaſis*; yet *Juſtinian* ſecretly, and in his private Thoughts highly approved of it, eſpecially having the Honour of the Refuſal. For he was grown old, and conſequently impatient of Noiſe and Action, which made him enter into a new Courſe, for preventing the many Inrodes of the barbarous Nations; and that Charge and Trouble which in his Youth he had ſtill been put to. He ſet them together by the Ears at home, hired one Party to fight againſt another, procured Emulations, Jealouſies, and Diſſentions amongſt them; and if any Invaſion happened to be made, he had ſome or other of that Nation by him, whom by large Gifts and Preferments, he ſo far made his own, that he could truſt them to lead an Army againſt their Countreymen, knowing well that they beſt underſtood the Nature of the place, and Condition of thoſe they had to deal with; where their weakneſſes moſt lay, on which part they were Naked, and moſt liable to be hit and wounded. He thought this new Craft to be ſo effectual, that it made him ſlight his Military men, as ſtanding now in no need of them, and the Fortifications were neglected, and ſuffered to fall to nothing; together with the Legions generally throughout the Empire. The Armies were in all Countries leſſened, and nothing comparable to the ſtanding Forces of the Ancient Emperours, which being wont to conſiſt of ſix Hundred and forty five Thouſand fighting Men; at preſent, there were hardly found an Hundred and fifty Thouſand, and of theſe ſome lay in *Italy*, others were diſperſed through *Africk*, *Spain* and *Lazica*, and ſome lay at *Alexandria*, and the *Ægyptian Thebes*, and a very few upon the Borders of *Perſia*.

Juſtinian grown Old and loving quiet, ſets the Barbarians one Nation againſt another, and at difference amongſt themſelves.

This made him neglect Military men.

251. About the Concluſion of the Peace, a number of *Zani* inhabiting to the South of the *Euxine* Sea, about the City of *Trapezond*, having been formerly Subjects of the Empire, fell upon the Territories of *Pontus*, and piercing as far as *Armenia*, haraſſed and pillaged all in their way: Againſt them was ſent *Theodorus* their Countreyman, one very eminent for his Services, who eaſily Maſtered them, having no good Commander to Govern them, and impoſed a certain yearly Tribute upon them, by order of the Emperour; who ſo highly valued this ſubduing, and bringing them under the Yoke, that in one of his novel Conſtitutions, reckoning up his ſeveral Victories, he makes mention of this, as one of the Chief. About this time happened another Earthquake at *Conſtantinople*, ſo great and Terrible, that it ſeemed about to ſwallow up the whole City. *Agathias* ſpends many words, in deſcribing the Fear and Conſternation, which ſeized upon the Inhabitants of all ſorts and Conditions, and makes the ſame Obſervation, as *Procopius* did in the Plague, of the great ſhew of Reformation, and many remarkable Acts of Piety and Mercy, which were Practiſed for the time; but when the Judgment was once removed, moſt of theſe Men then licked up their Vomits, and returned though leaſurely to their former ways. Yet ſtill one Puniſhment followed at the Heels of another, for the very next Spring the Plague which had never ceaſed all this while, but wandred about from place to place, again returned to the City, and ſwept away an infinite multitude: Some dyed ſuddenly, as ſeized with a violent Apoplexy, and ſuch as were ſtronger ſuſtained the violence of the Diſeaſe not paſt

The *Zani* reduced under the *Roman* yoke.

An Earthquake at *Conſtantinople*.

The Plague returns.

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the fifth day. But the Symptoms were for the most part the same, as had been in the former Visitation.

252. No sooner was *Constantinople* freed from this Distemper, but another mischief fell out, which filled the Inhabitants with as great Terrour and Tumult as the other. For a multitude of *Corrigurian Hunnes* taking advantage of the Frost, passed over the River *Ister* and invaded *Thrace*, where dividing themselves into two Parties; one went for *Greece*, and the other for *Chersonesus* of *Thrace*, under Conduct of *Zamergan*, who grudged that *Sandil*, or *Sandilchus* the Captain of the *Uturgurians* should be Courted and inriched by the Emperour, while he and his Compatriots fate still at home, and continually strugled with Penury and Hardship. Resolving therefore to doe something whereby they should be taken notice of; they passed directly toward *Constantinople*, wasting all in their way, making abundance of Captives, punishing the very Women they haled out of Cloisters, and committing all other sorts of Insolence and Violence. They passed over the long Walls, and came near to the Forts, made for the defence of the Royal City, where all matters relating to War being, as we said, utterly neglected, there was not as much as a Man to oppose, nor a Dog to bark against them, as *Agathias* phraseth it, the Money which had been formerly employed in paying the Souldiers, being now converted to the maintenance of dishoneſt Women, Chariot-drivers and other sorts of loose or Effeminate Persons. The *Hunnes* now were come within an Hundred and fifty Furlongs of the City: Within it appeared nothing but Confusion and Tumult, nothing was heard but Lamentations, shutting of Shop-windows, and Clapping together of Doors. The Emperour himself was not a little dismayed, by whose Order all such Churches as stood without the City, toward the *Europe*-side and the Sea-shore, had all their choice Ornaments, and Utensills removed into places of security at a distance.

An Invasion of the *Hunnes*.

253. So dreadfull was the approach of these Barbarians, that scarcely could any Military men be got, to make good the Walls and Gates of the City; in Case their boldness should bring them so far: Onely those they called *Scholarii*, made a shew with their Gay clothes, and Courtly dresses, being indeed inrolled amongst the Souldiers, that continued under pay, and watching by their turns in the Palace, but meanly skilled, and as little practised in matters relating to War, or the Discipline of a Camp, serving rather for Pomp and shew, than any thing else. For whereas, in former times, none were admitted to this Employment, but Persons of Merit, and in reward of their former Services in the Field, who paid no Money for their places; *Zeno* the *Isaurian* first of all Princes, after his Restitution, broke this laudable Order, admitting Townsmen of his Familiars, and Acquaintance into the Number; which Course being followed in after-times, when raw and unexperienced Men crowded in, then became the Employment a sort of Merchandise, and he that would pay down his Gold, was received without any farther scruple or Inquisition. For want of experienced and old Souldiers, such as these were set to the defence of the City; but the Barbarians still coming on, and the Tumults and disorders thereupon increasing, Old *Belisarius* whose hands could scarcely now hold a Shield, or his Armes weild a Sword, was by Order from the Emperour, sent out against them. His Army consisted of about three Hundred stout Fellows, which had served under him in his latter Wars, the rest were a rude Company, having neither Skill nor Courage, and to these many Countreymen joyned themselves, who were driven from their Habitations by the *Hunnes*. Being constrained to make the best advantage he could of this slender Army, he fortified his Camp, and sent out his Scouts to discover the Motions of the Enemy.

Old *Belisarius* sent out against them.

254. He caused many Fires to be kindled, and Lights to be set by Night in several places, to amuze the Barbarians with thoughts of a great Force coming against them. And the device took for some time, so as to stop their Carriere; but when they heard how small the *Roman* Army was, and not able to graple with them, they held on their way, and renewed their former Practices. *Belisarius* his Men, in the mean time, were very confident, and mightily elevated with the Thoughts, of what they had formerly done; with the Consideration that they were *Romans*, and who those were with whom they should contend; which he perceiving, by a prudent Speech, shewed them the difference betwixt Courage and Carelessness, rash Confidence and Hope, and put them in mind with what disadvantage in respect of number they were to fight. Using such Arguments, as made them more Cautious, but not less Valiant, when he understood that two Thousand of the Enemies Horse marched against him; he placed two Hundred of his Men in a Wood, to

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to lye in Ambush and fall on upon the Signal given. The Countreymen he ordered to follow with great shouts, and as much noise as they could make; and in this manner with the rest, he fell upon the Enemy, which for the dust and noise, not discerning the number of the *Romans*, thought them more than indeed they were; and then the Signal given, these in the Wood arose and fell upon their Backs, so that laid at on all sides, they Contracted themselves into a narrower Compass as he designed, and thereby were less able, either to defend themselves, or hurt their Enemies, these behind not being able to protect those before, and their great number being useless, and in no Capacity to compass, or incircle their Enemies.

255. By degrees therefore their number was so lessened, that judging themselves to be incompassed with a great Army, they bore back and began to run, which advantage the *Romans* improving, killed about four Hundred of them, and beat the rest to their Camp, where they were received with opprobrious Language, and exceeding great Terrour of their Companions; who quite out of heart with this defeat, cut their Cheeks with Knives, and using other Expressions of grief proper to their Nation, bewailed their Condition; for they gave themselves, for little better than lost. And such indeed, or worse, might have been their Lot, had *Belisarius* by a quick and effectual pursuit made use of this Consternation of their minds. But he was speedily called to the City, the Inhabitants whereof were a little too kind, and gratefull to him. For this present Victory calling to their minds the Glory of his former Atchievements; they began to admire his Conduct, extoll his Valour, and Cry him up for such a Souldier, as no former times could parallel, whom Old Age it self could not enervate, nor that which puts an end to all humane Abilities, abate the Vivacity of his Spirit. This the great Men of the times could not endure to hear, and indeed the whole Court, as well the Prince himself as others, being of late years fallen to Idleness, and Effeminate Courses; and having resolved upon a new Expedient, to divert the Invasions of the barbarous Nations, were quite out of Love with War, and slighted him, who had been the great Instrument in martial Actions. They calumniated him as a Vain-glorious Person, gaping merely after Popularity, and hunting perpetually after the Applause of the People, urging that he nourished some hopes, and had private designs more than the World was aware of. This reward had *Belisarius* for his good Services, and so ingratefull were the Courtiers, as *Agathias* observes. That he was in disgrace after his great Employments, is affirmed by all Writers, and some would have him so far out of Favour, that the taking away of his Life had been a Mercy to him, being reduced to such necessities, that he begged his Bread upon the Highway. This, as a thing much talked of, we must examine, and here being to take our Farewell of this great Commander, we shall be so far from Impartiality, as to take notice of what the pretended *Procopius* has written concerning him in his secret History. For although in his former Books he had told the Truth, and nothing but the Truth; yet you must know that the whole Truth in those times he dared not to tell, neither concerning the Emperour, nor other Great ones: In brief therefore, what is said there concerning the Faults, and Disgraces of *Belisarius*.

Over-powers them.

But is re-called.

256. The source and Original of most of his Failings and Miscarriages, he makes to be an Extravagant, Uxorious humour, or a fond doting upon his Wife, which was the most cunning, and most Incontinent of all Women. His Domesticks revealed to him the secret Dalliances she used with that *Theodosius* we have formerly mentioned, and he was so possessed with the affront for a time, that nothing would content him, but the death of the Adulterer; but she again so soothed him up with good words, that he was content to think her wronged, and gave up her Accusers to her Mercy, which she turned into extreme Cruelty, as we said before; and *Constantianus*, becaus he shewed himself much concerned for his General's Honour, lost his Life in that manner, as it is described in it's due time and place. After this, her dishoneſt Actions being taken notice of by *Photius*, a Son she had by a former Husband, he grew impatient, and extremely inraged against *Theodosius*, which so far set her against him, that she fought his death, and left nothing unpractised which was consistent with secrecy to make him away, the rather because *Theodosius* had signified to her, that he could not come near her so long as he continued with her. But *Photius* more netled still with his Mothers harsh usage, and her known Plots to be rid of him, procures one to tell her Husband all he knows, concerning the Grand Infelicity of them both in such a Relation. *Belisarius* hears it with great Indignation and Grief, and falling at the Feet of *Photius*, desires his Assistence for removing *Theodosius* out of the way: Whereupon they swear secrecy, and

He was very Uxorious.

Her Lewdness.

Antonina fuit Imperatricis Theodoræ Zoes, à Veste, dignitate Patritiâ, mulier solertissima & ut Procopius, scribitur acerrimi ingenii, ἀνὴρ ἀνδρὸς πανοῦργον ἀνοήτου μᾶλλον ἢ σώφρονος γυναικὸς ἔχουσα. Belisario conjugi superfuit ad Justinum secundum Imp. jam exactâ ætate suâ Vigilantiæ Justiniani Augusti superstes, Templum S. Procopii restituit conflagrationem. Byzantii restauravit. Vide Alem. in notis ad Arcan. Hist. p. 3.

Sect. 1. fidelity each to other, but the Execution of the Plot is put off, till *Theodoſius* ſhould return to *Epheſus*. For thither he had once retired, pretending he would take upon him the habit of a Monk, which put her into an Agony, and made her ſo troubleſome, that neither her Husband, nor the Emperour and Empreſs could be at reſt till he was remanded, which he was willing enough to be, acting onely this part, till *Beliſarius* ſhould be upon his way into *Perſia*. And he once gone, and *Photius* with him, he returned to *Conſtantinople*; but *Antonina* being to follow her Husband (for ſhe would never be abſent from him, leſt once from under the Influence of her Tongue, he ſhould come ſeriouſly to deliberate, and reſolve upon ſomething that might not make for her Intereſt) he was to repair again to *Epheſus*, where *Photius* reſolved to fall upon him, and ſeize upon his Wealth, which was very great. For out of the Adminiſtration of the publick Treaſure at *Carthage* and *Ravenna*, he had ſcraped up no leſs than ten Thouſand pounds of Gold.

257. *Beliſarius* in the mean time invaded *Perſia*, and took *Siſibranum*, or the Fort of the *Iſaurians*; where, when he yet lay, News was brought that his Wife was coming to him, which did ſo perplex him, that out of a great deſire to be upon the *Roman* ground, to have the better occaſion of being revenged, he retreated to the Borders, and to his great Diſgrace omitted the Expedition he once deſigned into the upper Countries, whereby he might have waſted all *Aſſyria* as far as *Cteſiphon*, have delivered the *Antiochians* from their Captivity, and intercepted the return of *Choſroes* out of *Lazica*, where his Army upon notice of the *Romans* being in the Heart of their Countrey mutined againſt him. But *Beliſarius* returning into the *Roman* Territories there found his Wife, and kept her for ſome time as a Priſoner, without any reſpect at all, purpoſing often to put an end to his Vexation and Diſgrace together with her Life; but as our Authour verily believeth, was again overcome with Love, or as others gave out, was ſome way or other inchanted by her. Then goes *Photius* to *Epheſus*, as faſt as his Horſe could carry him; where he finds *Theodoſius*, upon the Report of his coming, having taken Sanctuary in the Church of St. *John*, but *Andrew* the Biſhop for Money betrayed him into his hands; and then upon notice that his Mother by her Intereſt with the Empreſs, had procured both her, and her Husband to be called to Court, ſent him into *Cilicia* with ſtrict Order to his Keepers not to diſcover where he was, and went away with his Treaſure to *Conſtantinople*. Here *Theodora* the Empreſs, to requite *Antonina* for the Treachery ſhe had uſed in the Perſecution of *John* the *Cappadocian*, proſecuted ſeverely thoſe, that had had any hand in the taking of *Theodoſius*; and *Photius* was extremely laſhed, to declare where he had put him. He was a man very ſickly, and had been ever very tender and carefull of his Health, yet he endured all, rather than he would break his Oath, and diſcover the ſecrets of *Beliſarius*.

The Empreſs a Friend to her.

258. But all came out at length. The Empreſs having got *Caligonus* the Eunuch, and Pander of *Antonina*, who reſtored him. Then did ſhe reſtore to her, her Minion, and cheering him up with all the Delicacies and Divertiſements the Court could afford, threatned ſometimes ſhe would make him General of a *Roman* Army; but Divine Juſtice prevented the Infamy, for he dyed not long after of a Dyſentery. In the mean time *Photius* was kept in Priſon, where he could ſee no Light, and though he twice eſcaped and took Sanctuary in the Churches of the *Bleſſed Virgin*, and St. *Sophia*; yet the Empreſs who made light of all places Sacred, to the great Grief and Aſtoniſhment of the Clergy, pulled him from the Altars, and returned him to his Dungeon, where having ſpent more than two years, *Zacharias* the Prophet in a Dream commanded him to make his third Attempt, promiſing to be his Protectour, and accordingly he made his eſcape to *Jeruſalem*, where being ſhorn, he took upon him the Profeſſion of a Monk, and eſcaped the Cruelty of *Theodora*. But *Beliſarius* having broken his Oath, whereby he ingaged to ſtand by him to the utmoſt, ever after found Providence croſs him in his undertakings. For although in his third Expedition againſt the *Perſians*, he ſet *Choſroes* packing to his great Honour; yet he was accuſed of ſomething which ſtuck hard to him afterward. He was by ſome, either thought Guilty of Treachery or Cowardiſe, for letting *Choſroes* paſs the *Euphrates*, without any moleſtation, though he led away an infinite number of *Roman* Captives taken at *Callinicum*. Not long after, when the Plague raged at *Conſtantinople*, the Emperour alſo happened to fall very dangerouſly ſick, the News whereof flying to the Army, ſome of the Officers uſed this Expreſſion; That if the *Roman* People ſhould be permitted to Name his Succeſſour at *Conſtantinople*, it would come to paſs that they ſhould ſpend all their days in the Camp. The Emperour preſently after recovering, one Commander

Photius eſcapeth the Empreſs.

Beliſarius having broken his Oath, ever after finds Providence Croſs.

Ἀλλὰ τὸ σφετερισθὲν ὑπὸ τοῦ βασιλέως δίκην τινὸς ἀλόχου τῆς Βελισαρίου ἐξ ἀνδράσιν ἀνθρώποις δυσμενῶς διακεῖσθαι ἐπῃτιάσατο. Ἀντωνῖναν δὲ ἡ βασιλὶς Θεοδώρα ἐς τὸν Βελισάριον ἐξαπέστειλε. Δυσωπίαν *Alemannus interpretatur* Reſtitutionis diſſimulationem *magis Grammatice quàm mediocr.*

Commander accuſed another; but *Peter* and *Johannes Helluo*, affirmed they were the words of *Beliſarius* and *Buzes*. The Empreſs thought that by that ſpeech they meant her, and in great wrath commanded them all to appear at *Conſtantinople*. Sect. 1.

259. *Buzes* ſhe clapt faſt up in a Dungeon under the Palace, where he lay well nigh two years, given over by all men for loſt, and then being ſuddenly let out into the light, ſeemed *Minerva's* Bird both to himſelf and others, for he remained Purblind ever after, and never had his health to his Dying day. *Beliſarius* though Convicted of no Crime, was preſently put out of Command, and *Martinus* ordered to head the Army in the Eaſt. His Guard was beſtowed upon great Courtiers and Eunuchs, who caſt Lots for them, and his Friends were forbidden to keep him company. An incredible ſight now it was to behold this lately Great man walk through the City alone, ever ſad and thoughtfull, as expecting daily to be ſent to another World. A great Sum of money, which the Empreſs heard he had in the Eaſt, ſhe ſent an Eunuch to ſeize; and when he came to Court, cauſed him to be ſlighted by her Husband, and derided by all their Attendants, herein gratifying *Antonina* for her aſſiſtence in the buſineſs of *John* the *Cappadocian*, that ſhe might triumph over him as her Slave and Vaſſal, as indeed it came to paſs. He retires from Court with a dejected both mind and Countenance, looking ſtill behind if there were none ſent to diſpatch him, and coming into his Chamber, there ſits down all alone, not meditating on any thing becoming a Valiant man, which he forgets himſelf ever to have been. He ſweats, he trembles, he is anxious and fearfull, and much diſquieted at the Cowardly thought of Death. *Antonina* walks by, pretending not to be very well to ſhun ſuſpicion, and it being now almoſt dark, one *Quadratus* appears at the door, ſent, as he ſaid, from the Empreſs. At that word *Beliſarius* falls backward upon the Bed, neither able to ſtir hand nor foot, ſo deſtitute of Courage, that he expected the ſtroke of Death, when *Quadratus* produced *Theodora's* Letter, wherein ſhe told him, he could not be ignorant what he had deſerved at her hands, yet ſhe pardoned him, and granted him his Life at his Wives requeſt, to whom ſhe was exceedingly obliged; and whereas he ought to acknowledge his ſafety and fortunes obtained for her ſake, ſhe ſhould obſerve very ſtrictly what returns he would make unto her.

Put out of Command.

260. He having red the Letter, could not contain himſelf for Joy, but before *Quadratus*, that he might be an Eye witneſs, how ready he was to obey *Theodora*, fell down at his Wives Feet, which taking in his hands, he firſt kiſſed the one, and then the other, calling her the Authour of his Security, and profeſſing for the time to come, he would carry himſelf not as her Husband, but her obedient Slave. Then did the Empreſs of that Money, ſhe had cauſed to be ſeized in the Eaſt, beſtow thirty Centenaries upon the Emperour her Husband, and left the reſt to *Beliſarius*, whom they both long before this had much envied and ſtomached for his great Wealth, yet the conſideration of his vaſt Services again checked them, and when they had a mind to accuſe him of converting the publick Spoils and Treaſure to his own uſe, they ſtill wanted whereon to fix, as having no evident proof in any particular. But now that ſhe ſaw him fearfull and dejected, ſhe caſt about by one device to get poſſeſſion of all he had, and that was by Marrying to her Grandſon *Anaſtaſius*, his onely Daughter and Child *Joannina*. He in the mean time, deſired to be reſtored to his former Power and Dignity, and that he might be ſent General into the Eaſt againſt *Choſroes*, which *Antonina* oppoſed, affirming he ſhould never Command the *Roman* Army, where he had put ſuch an Affront upon her. But at length he is made Maſter of the Emperour's Horſe, and ſent the ſecond time into *Italy*, upon condition, as the Report went, that he ſhould not ask of *Cæſar* one Penny toward the Expence of the War, but defray all at his own charge. And ſome imagined he was content to ſay or doe any thing, that he might but get out of Town, and have an opportunity to be revenged upon his Wife, and the reſt by whom he had been ſo much abuſed.

261. But forgetting all that had paſſed, as alſo the Oath whereby he ſtood bound to *Photius*, and the reſt of his Friends, he ſtill gave her as good Quarter as ever, being as paſſionately in love with her as at the firſt day, though ſhe was now above threeſcore years old. In *Italy* his Affairs ſucceeded as formerly we have related at large; Providence ſtill croſſing all his Indeavours. For whereas in his former War with *Vitigis*, his Councils and Strategems generally had good ſucceſs, how improbably ſoever deſigned; now his Plots and Devices, though founded upon good and ſubſtantial Reaſons, ever miſcarried; that being God's diſpenſation, which men without reaſon call Fortune and Chance, as *Procopius* well obſerveth. But amongſt

Sect. 1. mongst other mischeifs which happened in *Italy*, all the time he spent there, nothing more hindred the advance of the Emperour's Interest, than the jealousie betwixt him and *John* the Nephew of *Vitalianus*. Whilst he continued still in that Countrey, the Empress resolving to consummate the Marriage betwixt his Daughter and her Grandson, earnestly solicited them both by Letters for their Consent, but they still put it off, till their return to *Constantinople*; but she easily perceiving the ground of their Excuse, and suspecting that if once she were Dead, *Antonina* would bear but small respect to her Relations, Marries the Boy and Girl together contrary to all Law, and as was reported, she caused her to be forced, that the Nuptials being confirmed by defloureing of her, the Prince himself might not be able to hinder the March. However the thing being done, they lived as Husband and Wife together eight months, and loved each other exceedingly. Yet the Empress Dying, when *Antonina* came to *Constantinople*, she quite forgot all her promises to *Theodora*, and without any sense of her Daughters Honour, took her away by force from *Anastasius*, with whom she had lain so long, every one crying out against her for so unjust a deed. And when her Husband was arrived out of *Italy*, she easily obtained his Consent therein, by which he discovered the temper of his mind; For as to his breach of Faith with *Photius*, and others of his Friends, the World easily excused him, as supposing it done for fear of the Empress, and not as awed and governed by his Wife. But when it was perceived that she and *Caligonus* her Pander, ruled him as they listed, then began he to be despised by all men, and derided as little better than a Mad-man. In these things, to speak freely, *Belisarius* was to blame. So the pretended *Procopius* in his secret History.

262. Three things are here principally charged upon *Belisarius*, one of them as the cause of all, *viz.* the doating on his Wife, the next is his breach of Faith, and the third, his Cowardise or dejection of Spirit, which appeared in his so unmanly Carriage, at the apprehension he had of Death; for as to the ill success he had in his last Expedition into *Italy*; *Procopius* confesses his Councils were well enough laid; tells us in several places, that he carried the War on at his own Expence; that the Emperour never seriously applied himself to that War, till he sent *Narses* as General; and especially he attributes this great change of Success to the various effects of divine Providence. As for his uxorious humour, he had too great an example in the Emperour, whose Lady having such a scope given her, desired, and indeavoured to have the same Rule erected in all great Families; and having allowed his Wife that liberty in the days of the Empress, after her Death she had been too long in Possession of it to be turned out. His Faith he ought not to have broken to *Photius* nor his Friends, if he could lawfully keep it, but he saw there was no contending with that imperious Woman, who had resolved that the Lust of his Wife, should become a Law to him, and though at first, he might be highly sensible of the dishonours offered to his Bed; yet, as other prudent men, who are afflicted in that Nature generally practise, he might think it better to make as little Noise as possible, and conceal that misfortune for which he had no Cure, but such a Remedy as would make him full as Unfortunate, as the present Calamity could do. For the pretended poorness, and abjectedness of his Spirit; his Actions in the World were too glorious, and carried more demonstration of Valour and Courage with them, than to suffer such a foul Aspertion to stick to his Memory. How many hundreds of times had he met Death in the face, how often did he rather seek for it, than shun it, venturing his Person far beyond the obligations of a General? Gallant minds have an antipathy to Base, Cowardly, and clandestine Attempts. No man was ever so valiant, but had some Reluctancy at the thought of an Assassination. We could instance in some mighty Commanders, that readily ventured their Lives in a Battel at the Head of an Army, and yet by all Provocations imaginable, could never be brought to indanger them onely in a Duel. Nature it self has an aversion for Death, but gallant Nature especially for a base and infamous Death, by the hand of an Executioner, or some Effeminate or paltry Eunuch. But although the whole series of the late History seems a glorious and lasting Monument of *Belisarius* his worth to intelligent Readers, yet having wittingly omitted, and referred to this place, a particular Character of him, we shall doe him the Right, having presented the worst of him, to give his Picture also as it is drawn though in little, yet to the best advantage, and that by none other than the Pencil of *Procopius* too his constant Assessour.

263. *Belisarius* was the Discourse of all the World, having gained the Honour of two unmatchable Victories, brought two Kings Prisoners to *Constantinople*, and beyond all expectation, made the Race and Wealth of *Genserick* and *Theodorick*, (the

Procop. Bell. Goth. lib. 3. ad initium.

(the most renowned of all Barbarians,) the Spoils and Trophies of War. To the *Roman* Empire he recovered its own Wealth, from out of the hands of its Enemies, and in a short time, the Dominion of almost one half of the Lands and Seas thereof. It was a great pleasure to the *Constantinopolitans*, and such as they could not be satisfied with it, to behold him daily passing from his House, and returning thither through the *Forum*; for his going in the Streets was a kind of Triumph, Multitudes of *Vandals*, *Goths* and *Moors* ever following him; besides, he was a beautifull Person, Tall, and of the goodliest Countenance that could be seen. To Suitours he was ever easie of Access, and as mild as the meanest man whatsoever. Both the Souldier and Countreyman were ever in love with his Government, being to Martial men exceeding bountifull, releiving the Sick and Wounded with large Sums, and rewarding such as did valiantly with prizes of Honour. If any in Battel lost his Horse, Bow, or any other thing, presently he was supplied with another by the General. Where he Commanded in the Field, never Countreyman suffered Violence, but all, where his Armies came, had the fortune to grow Richer, selling their Commodities at their own Rates to the Souldiers; who by Guards kept off Horse from spoiling the Corn, while it was yet growing; and the other ripe Fruits were in as great security: He had a wonderfull care of his Fame and Chastity, never touching any Woman but his Wife, and of so many beautifull Prisoners of the *Vandals* and *Goths*, (such as none ever saw the like,) never suffering one so much as to come in his Presence. He had a very sharp wit, and was exceedingly dextrous in a doubtfull Case; he was valiant in War with cautiousness and advice, bold when there was Reason, and ever swift or slow in his Undertakings, as the occasion required. In great difficulties resolute, full of hope, and free from perturbation. In Prosperity, he was neither Elevated nor Voluptuous. And no man ever saw *Belisarius* Drunk. Sect. 1.

264. Thus during his Commands in *Africk* and *Italy*, he was still Victorious; And when he came to *Constantinople*, his worth was yet more taken notice of. For being himself eminent in Vertue, and exceeding all the Generals that ever were, in Wealth, and in the strength of his Lanciers and Targetiers, both Commanders and common Souldiers stood in awe of him. He had in constant readiness of the Retinue of his Housholds, seven thousand choice Horsemen, whereof every one thought himself fit to stand in the Front at a Battel, and to challenge the most daring of the Enemies, which being observed by the ancient men at *Rome*, who took notice what those men did in the Fights, with great wonder they affirmed, that one man's Family ruined the Power of *Theoderich*. Thus was *Belisarius* powerfull, both in Dignity and Council, ever advising to the Emperour's best advantage, and chearfully executing what was resolved; whereas the other Commanders equal in power, and attending onely their private gain, made spoil of the *Roman* Subject, and exposed him to the Injuries of the Souldier. They neither apprehended any thing worthy themselves, nor had the common Souldiers in Obedience, and so committing many Errours, the *Roman* Affairs were in a short time Ruined. Thus *Procopius* in that part of his History, which precedes the Account he gives us of *Belisarius* his last and fruitless Expedition into *Italy*. Afterward he farther tells us, that the Emperour having sent for him home, held him in Honour, upon the Death of *Germanus*, yet would not send him into *Italy*, and though he were General of the East, he made him Captain of his Guards, and kept him at *Constantinople*. And *Belisarius* was the cheif of all the *Romans* in Dignity; some indeed had the priority of being made Patritians, and Consuls before him, yet yielded him precedence, being ashamed to make use of the Law, and to assume that Right it gave them against so eminent Merit: And the Emperour took it well they did so. Thus the Reader hath an account of what is said both for and against him, by one who pretended to be as free from flattery, as void of Prejudice.

265. But however these Noblemen carried themselves in the point of Precedence, certain it is that his great felicities contracted abundance of Envy, and although he was not so remarkable for any thing as his constant Fidelity and Allegiance, notwithstanding all his temptations and opportunities, yet no less than thrice was he accused of ambitious and treacherous purposes, *viz.* Once when he was in *Persia*, and *Justinian* was sick; a second time when he had newly Conquered *Gelimer*, and the last when he was grown old in *Constantinople*, perhaps not long after his Victory over the *Hunnes*; for *Agathias* seems to take notice of it. We are told that on the fifth day of *December*, the Emperour being very angry with him assembled the Senate, wherein was present *Eutychius* the Patriarch, and caused the Confessions of his Accusers to be read, which *Belisarius* took very haintously, for by *Cæsar's* Command,

Vide Alemannum in Notis ad Procopii Histor. Arcan. p. 85.

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mand, he was deprived of his Guards and Attendance, and kept Prisoner in his own House. But in the following year, on the nineteenth day of *July*, he was again restored to favour, and to his ancient Dignity and Honours. And at last in the thirty eighth year of *Justinian's* Reign, on the thirteenth day of *March*, *Belisarius* Died at *Constantinople*, and his Estate was assigned to the August House of *Marina*. For the Reader must know, that before the time of *Justinian*, there were five several Imperial Houses or Courts at *Constantinople*, by the Authour of the Description called Palaces, besides six known by the names of *Domus Divinæ Augustarum*, or Divine Houses of the Empresses, and three other that were styled *Nobilissimæ*. Eminent amongst these last were the Houses of *Placidia* and *Marina*, in the first Region of the City. In some of them the Emperours would sometimes Lodge, others served for Treasuries, their Keepers being called *Curatores*, and chosen out of the prime Nobility, particularly in those days, *George* the Cousin of *Theodora* the Empress was *Curator* of that of *Marina*. To those Houses and Palaces *Justinian* added others, built very magnificently in that Suburb called *Heræum*, as also in the other called *Jucundianum* and *Justinianeum*, at this day known by the names of *Galata* and *Pera*.

Chronicon Anonymum Vaticanum: Zonaras. apud Aleman.

Vide Aleman.

266. But such was the fortune and end of *Belisarius*, contrary to the Fables which some later Historians have devised, as that his eyes should be put out, and that he was reduced to such Poverty, that he should beg an half-peny on the Highway, which seems a mistake, for *John* the *Cappadocian*, a man of Patritian Dignity, Exconsul and *Præfectus Prætorio*, concerning whom *Procopius* relates, that being banished into *Ægypt*, he was compelled by the Souldiers that carried him to beg Bread, or an half-peny of those they met. But of those who first related the story concerning his Blindness, and Begging, some confess that other Chronologers delivered that his eyes were not put out, but being despoiled of his Dignity, and almost all his Honours, he was again restored to his ancient Glory and Reputation. And in this condition we are willing to leave him, being glad to vindicate his Honour, but supposing him a man subject to Faults, and Infirmities, especially considering the greatness of his Place, the vastness of his Command and Power, with the largeness of his Fortune, all which are so pregnant of temptations, that he stood in need of the Assistences afforded by Christian Religion, of which it appears, that he was a Professour, from what *Procopius* relates concerning the Baptism of *Theodosius*, (upon the Expedition into *Africk*,) whatever any one hath fansied of his being a Pagan.

Vide Aleman.

267. Now to return to our story of the Wars, which we shall presently dismiss after *Belisarius* the General; the *Hunnes* understanding he was recalled, and none other sent against them, began to make a stop of their flight, and that Party which invaded the *Chersonesus*, fell with all their force upon the Wall. The Leader of those that defended it, was one *Germanus* the Son of *Dorotheus*, a Stripling whose Beard began but to sprout; yet being born in the same Town with the Emperour, from eight years old he had bred him up, and now set him at the Head of an Army. The *Hunnes* not being able to force the Wall, made a company of Boats with Reeds, Ropes and Wool, whereon having put six hundred men, they thought to pass by the Fortifications and seize upon the passage; but this their Design being known, the *Romans* manned out their Boats, and easily destroyed this new sort of Invention with all the men in them. The Barbarians being much dejected with this loss, they made a sally upon them, wherein they slew many, and might have done more Execution possibly, but that *Germanus* their Leader, in heat of his young bloud, ventured farther than a prudent General would have done, and received a wound in his Thigh. However, the *Hunnes* discouraged with this loss at Land, and more by that received upon the Water, retreated from the Wall, and joyned themselves with those under the Conduct of *Zabergan*; those also that went for *Greece*, receiving a stop at the Straits of *Thermopylæ* returned, and all resolved to march homeward. But *Zabergan* and his men threatned that they, as well as the *Cotriguri-ans*, would carry back a good quantity of the *Roman* Gold, and except the Prisoners were speedily ransomed, they would cut the Throats of them all. The Emperour sent them so much Gold, as he thought would suffice to redeem them, and to purchase the Retreat of the Barbarians, who having received it, set at liberty the Captives, and amongst the rest *Sergius* the Son of *Bacchus*. Which done, they left off pillaging, and returned to their own Seats.

Agathias, lib. 5.

The Hunnes bought off retire.

268. The Citizens of *Constantinople* murmured exceedingly, that those *Hunnes*, having put such an affront upon the Empire, should return home rewarded, as if the *Romans* themselves had committed the offence: But the Emperour had another Design

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design which they were not aware of, and afterward produced so good effects, as our Authour observeth, that they who now blamed him, did then exceedingly admire and commend him for it. For, as we said, he had resolved upon this Project, to set the Barbarians at variance amongst themselves, and cause them to destroy one another. Therefore *Zabergan* marching but slowly homeward, he wrote to *Sandilchus*, Captain of the other *Hunnes*, his Mercenary and Confederate, letting him know how the *Cutrigurians* had invaded his Dominions, not so much for greedines of gain, as to approve themselves as good, or better, than the *Uturgurians*, in respect of valour. He tells him they had received the stipend which was to be conferred upon him, and if by a speedy Revenge he did not demonstrate himself to be the same for which he had formerly taken him, he was resolved to make a League with the late Invaders, as those who by their courage did most deserve. *Sandilick*, enraged upon receipt of the Letter, presently invades the Territories of the *Cutrigurians*, and having thence taken a great number of Captives, falls upon those that returned out of *Thrace*, and having killed many of them, takes away their Gold, and all their booty. Such as escaped home recruiting themselves as well as they could, waged War with *Sandilick*, and for a long time after these Nations raged against each other to all extremity, till at length both were ruined, and they lost their very Countrey name, (if *Agathias* observes right) so that if any of them remained, they served other sorts of People, and being dispersed, received a name from them. So far were they then from invading the *Roman* Territories, that it was not as much as known in what part of the World they inhabited. But the utter destruction of these Nations, saith *Agathias*, fell out afterwards, and every thing relating thereunto shall be declared in its order, and according to the true account of time, as near as possible. And so he concludes the fifth Book of his History, which being the last of those that are now extant, we have hence too great occasion to complain of the injury of Time, which has deprived us of the rest of his labours upon this Subject. For he was not onely an Historian, but an excellent Poet, and possibly had he been not so good a Poet, he had been a better Historian. For his Fancy transports him out of the way, and makes his digressions about several matters sometimes impertinent, delighting to hear himself talk, and thinking to edifie his Reader by needless disquisitions. He was, as he tells us himself, the Son of *Memnonius*, born at *Murina*, (not *Murina* in *Thrace*, but that in *Asia*, situate upon the River *Pythicus*, a Colony of the ancient *Æolians*,) and by Profession a Lawyer, and common Pleader, of no considerable Fortune, which he bewails, because his private necessities forced him from his beloved Studies. It is no whit his Advantage that he immediately succeeds *Procopius*; but his Digressions, when historical, are some of them so profitable, that we make use of them upon other occasions.

Justinian sets one sort of Hunnes against the other.

269. All things at this time were not well in *Italy*, which when every one expected it should never more be troubled or embroiled with the *Goths*, again began to be disturbed by another Sedition. *Vidinus*, a certain *Comes* of that Nation, revolted from *Narses*, and implored the assistence of *Amingus*, (or *Omnirugus*) who had been formerly the Associate of *Bucellinus*. *Narses* resolved to crush the mischief in the Egg, and marching presently against them, defeated them in battel, took them both, and sending *Vidinus* to *Constantinople*, put *Amingus* to death; and to this time and occasion seems to relate what *Cedrenus* mentions of *Narses* his taking *Viria* and *Brincæ* from the *Goths*. So was *Italy* cleared of the *Goths*, and the greatest part of it of the *Franks*, though they had seized and held the Parts of *Venetia*. There yet remained the *Heruli*, whom, after the defeat of *Odoacer* their King, *Theodorich* had placed near the *Alpes*. These also, at this time, an occasion was presented of turning out of *Italy* by *Sindualdus*, who being set over them by *Narses*, presently again rebelled, and being taken, paid dear for his ambitious purposes; for he caused him to be hang'd on a very high Gibbet, and afterward, by the Arms and Conduct of *Dagistheus* the *Magister Militum*, cleared all the Coasts of the Country. And so at length a period was put to all these direfull Calamities wherewith the Barbarians, and especially the *Goths*, had afflicted *Italy* for so long a time, which by Fire and Sword had its Cities defaced, was despoiled of its Men, Wealth and Dignity, and, from the highest pitch of felicity, brought to the lowest and most desolate condition. The greatness and variety of its calamities were such, that no Mind can conceive, much less any Tongue express, or Pen describe. But now by the singular goodness of God, after wellnigh an hundred and sixty years, it began to have repose, and *Narses*, lest he should seem inferiour to *Belisarius*, set himself

Paulus Diaconus.

Italy at last enjoys Repose by means of Narses.

Sect. 2. all manner of ways to study its quiet, and the restitution of it to its former lustre and felicity.

270. The repairing of its Cities, and beautifying it with new and magnificent Buildings, was, within a year or two, much hindred by the breaking forth of a Pestilence, which added to the former miseries, almost exhausted the Countrey of its Inhabitants. This Plague, which from the Eastern Parts invaded *Italy*, was called *Inguinaria & Bubonis Pestis*, because Bubo's, or Swellings, arose in the privy and other glandulous parts, and were followed by a violent Fever, which dispatched the Party within three days, or else he recovered. This being over, *Narses* went on with his publick works, and especially with the Reparation of Bridges, particularly that over the River *Anienis*, which had been broken down by *Totilas*, as an Inscription, yet remaining, testifies, which shews it was perfected in the thirty ninth, and last Year of *Justinian*. While he was in hand with these works, a notable Conspiracy was hatched at *Constantinople*, against the Life of the Emperour, on the Nones of *November*, by *Ablavius*, *Marcellus* and *Sergius*, Men of no mean Quality, who purposed to kill him by night in his Chamber; but *Ablavius* making acquainted therewith *Eusebius* the *Exconsul*, and *John* the *Logotheta*, they revealed the Plot, and the Conspiratours were seized with Swords about them, of whom *Marcellus* instantly killed himself. *Sergius*, upon Examination, impeached *Isaacius* and *Belisarius*, who were also accused by *Vitus* and *Paulus*, so that *Belisarius* was imprisoned, as we said before, but afterwards again set at Liberty, as an innocent Person. Though this Conspiracy took not, yet have we brought the Reader almost to the period of this Prince's Life, and given him a prospect of all the turbulent Actions of his Reign. Another considerable Part is yet behind, which hath made him rather more remarkable to the World in later times; for who hath not heard of the Laws and Law-Books of *Justinian?* The Marks and Prints of his Sword are very long since obliterated, but multitudes of Men to this day wear Gowns which are looked upon no otherwise than as his Livery. Laws in his days, contrary to the old and received Saying, made a noise amongst Weapons, and his Government, a thing not ordinary, became famous in after times for both. First therefore what he did in reference to the Laws. And then we shall consider of the Temper and Disposition of this Man, so much spoken of, as to his own Person.

A Plot against *Justinian* detected.

SECT. II.

Of the Laws altered, made and modelled by Justinian.

Matters previous to *Justinian's* Laws and Model.

1. THE Original of the *Civil Law*, from the *Law of the Twelve Tables*, we have discovered in its due place, together with the Progress of it in its Infancy, and how many parts there were of it, or what those were which obtained the Force and Power of Law. After that the supreme Authority came to be invested in one single Person, the *Principum placita* gave force and efficacy to all the rest, or could rescind them, the Power of both Senate and People being, by the *Lex Regia*, transferred upon him. Yet the *Responsa Prudentum*, and the *Magistratuum Edicta*, continued to be in use, and were given out, upon occasion, for the clearing of Doubts and Difficulties, and letting the People know what was their Duty. Forasmuch as all Difficulties could not possibly be removed by Laws formerly, or Constitutions and Edicts afterwards, the Interpretations and Answers of wise and learned Men were found necessary, nay, as *Pomponius* witnesseth, when the Laws of the Twelve Tables were made, the Authority of some prudent men was requisite to interpret them, the Credit and Reputation of whom so much increased, that, in practice, a great part of the Suits and Controversies were referred to their Council and Determination. Now their Office, Duty and Employment consisted chiefly in four thing. First, in prescribing forms for Stipulations and Judgments. Secondly, in giving Council and Advice to such as asked it, in matters of Law especially, but indeed in all matters whatsoever, as *Cicero* writes, that in old time they had recourse to *Pub. Crassus*, *T. Coruncanius* and *Scipio*, in all things, whether Divine or Humane. Thirdly, they interpreted such Laws as were hard to be understood, or seemed contrary, as also Instruments of Contracts and Testaments. And lastly such matters as were neither by Law, nor Agreement and Consent of Parties, ordered and concluded, they took up and determined, *ex bono & æquo*,

Principum Placita.

Scriptum autem Jus est Lex, Plebiscitum, Senatusconsultum, Principum Placita, Magistratuum Edicta, Responsa Prudentum. De hac re vide Libergium Constantium & alios.

Responsa Prudentum.

The Office of these *Prudentes* what.

Sect. 2. *æquo*, as seemed most right and equitable in their apprehensions, who, from their studying the known Laws, had most reason to understand what was agreeable to, or might be deduced from, them. They made Profession of this Art either walking cross the *Forum*, or sitting on Benches at home, in a grave and stately manner, where they admitted all Clients, as appears by the Books of *Cicero*, which he wrote concerning Oratory and Laws. But their *Responses* were concerning matters of Law, not of Fact, whereupon *Celsus* hath defined their Art very well to be *Ars Boni & Æqui.*

Where they professed their Art.

2. *Pomponius* tells us, that before the time of *Augustus*, it was free to every one to practise, who had confidence of his own Ability, neither did they sign their Answers, but wrote most commonly to the Judges themselves, or told their opinions to such as consulted them. But *Augustus* vindicated the honour of the *Civil Law*, and provided for the security of the Estates of the Subject, by taking away the power of giving Answers from all, except such as should be authorized by the Prince. Of those who excelled in this Art or Mystery, *Pomponius* reckons up about sixty, from *Sextus Papyrius*, who lived in the Days of *Tarquinius Superbus* (when the Laws made by Kings were in force) to *Salvius Julianus*, who flourished under *Hadrian* the Emperour. These, and others, omitted by him, are too many here to be reckoned up. Of them *Tit. Coruncanius*, who flourished not long after the time of *Pyrrhus*, first made publick Profession of the Law, whereas those before him gave onely Answers in private. *Scipio Nasica*, a young Man, was of such esteem, that an House was given him by the State in the *Via Sacra*, that he might more opportunely be consulted. A little before the 3d Punick War *Q. Mucius Scævola*, *M. Junius Brutus* and *M. Manilius*, who laid the foundations of it, by the many Books they published, gave, as it were, life to the Civil Law. For *Mucius*, who was *Pontifex maximus*, the year wherein *Tib. Gracchus* was slain, left ten Books concerning Law, *M. Brutus* seven, and *Manilius* three, though *Cæsar* said, he heard *Scævola* say, that *Brutus* left but three in all, and his Method was not well liked of, because he expounded not *Theses*, but *Hypotheses*. *P. Mucius Scævola*, the Augur, his House, for his Skill in the Law, was called the Oracle of the City. *Q. Mucius Scævola* was *Pontifex maximus*, and first gave form to the Civil Law, by reducing it into eighteen Books.

Augustus takes away the Power from all but such as should be licensed by the Prince.

D. de Origine Juris.

T. Coruncanius first made publick Profession of the Law.

Scipio Nasica.
Q. Mucius Scævola.
M. Junius Brutus.
M. Manilius.

3. *Servius Sulpicius*, who was Consul together with *M. Marcellus*, and one of the most eloquent in *Tully's* Age, came, on a time, to consult *Q. Mucius* in a point of Law. *Mucius* gave him an Answer, but he understood it not, and asked him a second time; but neither upon a second Answer did he understand the matter. Hereat *Mucius* fell on chiding him, saying, it was a shame for one who was both a Patritian, and pleaded Causes, to be an Ignorant in the Laws of his Countrey. *Servius*, nettled with the disgrace, applied himself presently to the study of the Law, and came to such Eminency therein, that dying in an Embassy, his Statue was erected in the Pleading place at the Publick charge. He left wellnigh an hundred and fifty Books, as they counted them, and had many eminent Auditours, who lived to see the great Change of the *Roman* Government, from a Free State, as they termed it, to a Monarchy. And the Government was changed at such time, as many eminent and learned Men had often consulted concerning a Model of the Civil Law, and reducing it into a Form of Art. For the multitude of Books began then to be cumbersome, and *Pompey*, *Cæsar* and *Cicero* laid their Heads together, how to regulate this great variety, and prescribe to it certain bounds and limits. *Cicero* wrote a Book concerning the modelling of it, but some think he never finished it, though elsewhere they own he hath given his thoughts, and complains of the great confusion, and want of some able Person to undertake the Task. Yet notwithstanding after the time of *Julius Cæsar* much more was added by heaps of Writings, and more Laws made, the Constitutions of Princes now coming to bear a great part in this mystery. But this Service *Augustus* did to this noble Science, that besides the *Leges Juliæ*, formed and named from him, adopted into the *Julian* Family, he vindicated the honour of it, by taking away the liberty used formerly by every Pretender, and allowing onely such to give Answers as should be authorized by the Prince.

Servius Sulpicius.

The multitude of Law-books begins to be cumbersome about *Cæsar's* time.

4. *Trebatius* was a Man of great authority with him in this kind, whom he used as his familiar friend, commended by *Cicero* for his singular memory and knowledge in the *Civil* Law, who much cherished him when he was young, writing to him his *Topicks*, and many Epistles, full of very good humour. Much about this time *Atteius Capito*, and *Labeo Antistius*, by their contrary opinions, sowed such seeds of Civil Discords, that their Scholars being addicted to several Sects, and pertinaciously

Trebatius great with *Augustus.*

Atteius Capito and *Labeo Antistius* sow seeds of Discord.

Sect. 2. tinaciously adhering to their Principles, those Dissentions could not be composed in many years, and the Heads of many of their Controversies yet appear in the Pandects. For to the Party of *Capito* adhered *Masurius Sabinus*, and then *Cassius Longinus*, to whom succeeded *Cælius Sabinus*, as to him *Jabolenus*, and to *Jabolenus Salvius Julianus*. To the side of *Labeo* stuck pertinaciously *Cocceius Nerva*, then *Proculus*, to whom succeeded *Pegasus*, as to him *Celsus*, and to *Celsus Neratius*.

Hence the *Sabiniani*, or *Cassiani*, and the *Proculiani*, or *Pegasiani*.

Hence those of the former Party were called *Sabiniani*, and *Cassiani*; and those of the later *Proculiani*, and *Pegasiani*. The Emperour *Tiberius* favoured much the study of the Law, and from him *Masurius Sabinus* received Authority to answer publickly all questions. *Caligula* and *Nero* were rather Enemies than Friends to the Mystery of the Law. *Caligula* intending to abolish quite the Art and Profession it self, often boasted he would so order the matter, that they should be able to answer nothing but *Eccum*, quibbling, as though he would have them answer nothing but what was *æquum*, but meaning *Ecce illum*, and intending himself, from whom all Answers in matters of Law should thenceforth proceed. *Nero* banished *Cassius Longinus*, whom afterward *Vespatian* recalled, in whose time *Pegasus* was Prefect of the City, and bore the Office of Consul. He was the Son of a certain Master of a Ship, which had *Pegasus* for its Ensign and Name, and thence was this great Lawyer so called. And from him received its name the *Senatusconsultum Pegasianum*, mentioned by *Justinian*. During the Government of *Nerva* and *Trajan* the Profession of the Law flourished, as appears from their many excellent Constitutions mentioned in the Pandects. And the peaceable Reigns of *Hadrian* and *Antoninus*, as also of *Severus*, *Caracalla* and *Alexander*, produced many excellent men, rendred famous by their Writings, of whom several we have mentioned in due places.

Masurius Sabinus.

Cassius Longinus.

Pegasus.

Salvius Julianus composed the *Edictum Perpetuum.*

5. Here *Salvius Julianus*, who flourished under the Emperour *Hadrian*, must be remembred, that Eminent Lawyer of *Milan*, who composed the *Edictum Perpetuum*, which being allowed, and receiving authentick Stamp from the Prince, so as to be standing Law, another sort of Law now fell off, which was the Edicts of Magistrates, made, upon occasion, or at their entring upon their Offices. This was called *Jus Prætorium*, because chiefly made by *Prætors*, as also *Honorarium*, from their bearing these Offices of Magistracy or Honour. But how the *Prætors* should come to make Laws, which is a Prerogative of Majesty, they being but Magistrates, appointed for pronouncing, and not enacting, is questioned; especially seeing that we no where meet with any Law that gave them this Authority. Some think that at first they onely proposed Edicts by right of their Office, denoting, of what matters, and in what manner, they would administer Law. In progress of time, the People not opposing it, they took upon them also to make Law in declaring it, yet so, as their Edicts had less force than the Laws themselves, neither could they abrogate such Laws as were constituted or received, but onely help, supply and correct, that is, mitigate the rigour of the Law, and ordain something *ex bono & æquo*, concerning such things as were not mentioned nor forbidden by the Laws, though it were besides the tenour of the Civil Law. That the *Prætors*, as to these matters, could doe more than either the *Lawyers* or private *Judges*, appears from so many *Exceptions* and *Actions*, so many *Possessions* of Goods and Estates, introduced by the *Prætor*, being besides the manifest tenour of the Civil Law, in which, before what was thus introduced by the *Prætors*, no private Person could claim or attribute so much to himself. But, during the Commonwealth, other Magistrates, as the *Censors*, *Consuls*, and the *Ædiles Curules*, proposed their Edicts, all which went under the name of *Jus Honorarium*, being contained in it, and indeed in the *Jus Prætorium*, because the *Prætors* being made on purpose for administration of Justice, and having all the Jurisdiction, in a manner, had the honour to have the whole taken together denominated from themselves.

Whereupon the *Jus Prætorium* ceased.

Vide Vinnium in Instit.

What it was.

6. But an end was put to all their pretences, by the forming and authorizing of the *Edictum Perpetuum*, though the whole Power of *Senate* and *People*, being given up into the Emperour's Hands, all Powers before were but indeed precarious or derivative, as was that of giving Answers, in the Lawyers. Who the Lawyers of Eminency were, in the days of *Hadrian*, and his Successours, we have already shewn, who were famous for their Learning and Writings, which, for the most part, respected the *Edictum Perpetuum*. Now, however Persons began more than ever to consult the Prince himself, who had always at his hand the best Lawyers to advise with. From the time of *Hadrian*, to that of *Alexander Severus*, (both inclusive) flourished those great and eminent Men, out of the Books of whom the Pandects, for the most part, were taken. This Knowledge and Profession being then

then arrived at the highest pitch of Excellency, as all sublunary things are subject to change, began thenceforth to fall away and diminish. For after this time no Lawyer of any note or Eminency appears, and, by degrees, the Profession so much decayed, that in the time of *Ammianus Marcellinus* (or *Valentinian* and *Valens*, Emperours,) such as professed it, if we believe him, were esteemed rather Apparitions and Shadows, than Men, not being able to reconcile the hundredth part of these Differences and Contradictions, which, to men unskilfull, seemed to be in the Civil Law it self, and yet they valued themselves at no less a rate than as the Interpreters of the *Sibylline* Oracles. Those that practised at the Bar were so rude, covetous and sordid, that they neither understood what Justice was, nor remembred that they ever had read any thing concerning it. Sect. 2.

When the Eminent Lawyers failed.

7. The Emperours therefore must have taken upon them the whole care of the Law, and many of them, if not most, deserved well of it, as appears by their Rescripts. And yet in penning these Rescripts, several Lawyers, of great worth and Learning, must have been employed, though they have not otherwise rendred themselves famous by any work now remaining, what ever *Ammianus*, or any other, may write. For both before and after *Constantine*, Princes gave out Constitutions of very great Equity and Judgment, which certainly they themselves had not Skill to compose. These grew to such a number, that several Books of them came abroad, but of principal note and esteem were those of *Gregorius* and *Hermogenianus*, about the Reign of *Diocletian*. The Authours themselves are unknown, and some Fragments of their Books are onely come to hand; but St. *Augustine*, as many take notice, makes mention thence of a certain noble Rescript of *Antoninus*, which learned men justly admire, that it should be left out of *Justinian*'s Code. About an hundred years after, *Theodosius* the Second caused to be compiled another Code, wherein were contained the Constitutions of Christian Princes, from the beginning of *Constantine* to his own time. Betwixt them and those of the precedent Ages there is this difference: The Constitutions which precede *Constantine*, are most of them short and acute, weighty and elegant, as are the Writings of Lawyers of those times. Those that follow are generally tedious and lofty, more suiting the style of an Oratour, than the Majesty of an Emperour. They savour of the slanting *Asiatick* style, which was that of the Court, after it came to be removed to *Byzantium*. Especially the Constitutions of *Martianus*, *Zeno*, *Anastasius*, *Justin* and *Justinian*, which are neither comparable with the other in point of Eloquence, nor yet in respect either of Gravity or dexterity of Drawing.

Yet learned Men there were after that time.

Codex Gregorianus & Hermogenianus.

Theodosianus.

The difference betwixt the Constitutions of Princes.

A great Alteration made in the Law by *Constantine* the Great.

8. A great Alteration was made in the Law by *Constantine*, who corrected it so, as to make it more suitable to the purity of Christian Religion, and the tenderness and compassion thereof. Which he did by adding many Edicts, full of Mercy, and taking off the rigour of former Rules and Customs, both as to the materials of Law, and the forms and quirks of it. This also was imitated by his Christian Successours, as we have largely shewn in the course of our History, down from his time, till that of *Theodosius* the younger. But as every day, almost, produced some new occasion, by reason of the variety of circumstances, for some new Decree, these Imperial Constitutions grew to that infinite bulk, together with the other ancient sorts of Laws, that, before *Theodosius* began his new model of a Code; the Government in the West, or that under young *Valentinian*, thought it self obliged to make a discrimination, both of the Constitutions of Princes, declaring which should be of force, and which not, and of the Writings of Lawyers, as to the value and estimate of their Opinions, to be alledged and followed in Courts of Judicature. What these Discriminations were we have shewn particularly in their places. The Lawyers were nine in Number, of which *Papinianus* was to have the Preeminence, so as if in difference of opinions, he made one of an equal number, that of his party was to be followed. This Constitution, as *Gothofred* notes, may serve to discover how few learned Lawyers there were in those days, how few that knew the Writings of the Ancients; to be sure, it shews that the numbers and heaps of the Writings of Authours were very great.

A Discrimination of Lawyers made in the time of *Valentinian* the younger.

9. But as it is very rationally thought, that the Codes of *Gregorius* and *Hermogenianus* were composed of such Constitutions of Emperours, as preceded *Constantine*, (ten years before whose beginning they end, at the Tetrarchy of *Diocletian*,) on purpose to exhibite the Pagan Law, which Christian Princes in their new Decrees had altered; so *Theodosius* might resolve for the contrary reason, as well as to select a competent number, to make a Body of such as were composed by those of our Religion. He says indeed he was moved by this consideration, how few in his Age were rich in the knowledge of the Civil Law, and were solidly learned, although

The design of *Theodosius* in compiling his Code.

Sect. 2. though twelve years before he had founded two Professours of the Law for the Illustration thereof, in the University of *Constantinople*. He designed to ease Students of so great Labour as they underwent, in turning over so many Heaps, by cutting off superfluities, and introducing brevity, as also to provide against obscurity. For he furnished them with such Constitutions, as related both the *Jus Publicum*, and *Privatum*, and with all sorts, not onely *Edicts* strictly so called; but various *Rescripts* sent to Magistrates, who had consulted their Princes *Letters* given out to Magistrates, *Orations* to the Senate, *Pragmaticks*, *Acta* had in the Consistory, *Mandates* and *Instructions* given to Governours of Provinces, to *Censitores* and *Peræquatores* sent abroad, and to such as should hear Debates concerning Religion. But though no part of, either, the *Jus Privatum*, or *Publicum*, be left untouched in that Code; yet the Collectours are taxed for omitting so many material Constitutions, as they have done, and for studying so much Brevity, that by depriving the Laws of their necessary Ornaments of words, they made them most obscure. For, cutting off the Prefaces, and such Discourses as were connexed, or coherent to them; they deprived the Readers of all knowledge of the several occasions of the making of them, and other Circumstances which would have contributed much to the understanding of them.

Vide Gothofred. in Prolegomenis Cod. Theod.

Faults committed in the compiling of it.

10. Besides, notice is taken, how several Laws are repeated in the same words, and sometimes with a few things added and altered, and those not onely made by several, but one and the same Emperour. Many contrary one to another, and repealing one another, are to be found in this Code: The Rubricks are sometimes larger than the Text. But it is chiefly objected, that to *Julian* therein is given the Title of *Divus*, and that some of his impious Constitutions are inserted often, though not obscurely they contradict, and that out of Design, those of Christian Princes. Some of *Constantine* and *Valentinian* also, which though they might be forced out in their days, to grant leave to use and continue unchristian Practices, yet when Christianity was advanced into the Throne, they were by no means to be registred as Laws, by those who pretended to collect a Body standing and Authentick to be referred to, and whereby Cases were to be pleaded and decided. Some Edicts are also placed in this Book, though against the Orthodox Professours of Religion. Many Laws are Fugitives or mis-placed, some are so lacerated and dismembred, that no Sense can be made of them. And Errours and Mistakes, are too frequent in the Inscriptions and Subscriptions of Laws. Now it must be said, that though this Body, or Collection, even in some things here objected be of great use; for knowledge of the History of the times, yet these were some of them Faults very unsufferable in a Standard and Rule of Law, as it was intended to be. It may be said for the Collectours, that some Faults were formerly committed, and transcribed by them, and some might be justly laid to the Charge of the Transcribers; having passed through so many hands. However in matters wherein such Excuses cannot be admitted, the insufficiency of the Code, sufficiently appeared, as to its being a Standard of Law, and still those that were concerned in the Practices of it were at a loss.

It's Defects.

11. Yet was it for want of a more perfect, of great use, and readily imbraced both in the Eastern and Western parts of the Empire, both at this time, and by succeeding Princes. And not onely within the Empire, but by Barbarians was it received, even as a Standard of Law, as we shall see in the Histories of those Kingdoms: Yet its defects to the skilfull could not but be sufficiently known. Though all parts of the *Jus Privatum* were touched at in it; yet were there many Cases omitted in it, and to be found in the Constitutions of the ancient Emperours. And especially in the Writings of ancient Lawyers, were they to be found, which those that practised found necessary to have Recourse to as formerly, and the memory of this *Code*, as well as the Constitution of *Valentinian*, growing by degrees more out of mind; they had Recourse to their former Helps, and then again grew sensible of their Heaps. Now again they were affrighted at the Piles of *Imperial Constitutions*, at the Mountains of *Interpretations* and *Answers* of Lawyers; the Dust did not conceal the Old *Plebiscita*, *Senatus consulta*, and *Edicts* of Magistrates. They could not but look at the Old Laws made by Kings in the Infancy of *Rome*, and take notice of the *Rhodian* Laws, concerning Sea matters, and owned by Imperial Authority. These Heaps are said to have contained two thousand Volumes, and thirty times an hundred thousand Verses or Paragraphs. All sorts of them afforded help to Students, and yet the far greater part, must of necessity be unknown, and a great share be obsolete and useless in Judgments, and Decision of Controversies. It was therefore Discoursed, that there wanted a Prince, who by his Sovereign

Urge another Body, or Bodies to be Composed.

vereign Authority should abridge the number and substance of these Volumes, reduce them into Order, and give stamp to a Body or Bodies, more exquisitely framed than yet had been; which should remain as the Authentick Monuments, and the Standard of Law and Justice to Posterity. Sect. 2.

Justinian imbraceth the Design.

12. *Justinian* was a man whose Humour the design did very well suit, being naturally a lover of new things, and greedy of Fame; especially, to be thought very vigilant and solicitous for the good of his Subjects; as his Prefaces to his Novel Constitutions do sufficiently shew. But he imbraced a much larger design, than that of abridging the Law. He was brought to be of Opinion, that the Law not onely wanted abridging, but altering and changing from that Tenour and Genius, which it had in the days of the ancient Lawyers and Legislatours; not onely accusing it, as *Constantine* had done, to need Reformation as to Charity and Mercy, and that it was to be pruned of its needless, and troublesome quirks and scruples, as *Valentinian* the Third and other Princes thought, but even as to the reason and Complexion of much of it. But however, in many things he might be in the right, it had been much better, if he had staid some time to make his Observations, if he had made an Apprenticeship first in the Government, and been silent for the time enjoyned by *Pythagoras*. But he introduced that, which hath been since, in reference to the old Tenour and Frame, called *Jus Novum*, and began this course in the beginning of his Reign. And indeed scarcely is there any part of the *Roman Jurisprudentia*, wherein he did not make some Alteration. How he both altered and modelled it, it's now time to make a short discovery, according to the Nature of our design, which will permit us onely to hint at the most remarkable things in such a vast number, as his Laws and Books afford.

But not onely modelleth, but altereth the Law.

13. *Justinian* then, as we said, was made Collegue by and with his Uncle on the Calends, or first of *April*, in the sole Consulship of *Mavortius*, with whom he Reigned till the Calends or first of *August*, on which *Justin* his Uncle dyed. Now for all the five Months of this year, or Consulship, he made no Law, nor considerable Alteration in any thing. But having all this while it seems resolved, and meditated on it, he opened the second year, or his own second Consulship with great Attempts this way, as if then he had begun to Reign indeed This he did on the very first day of the year, or the Calends of *January*, on which several of his Laws bear date. Four we have still extant in the Code, which mention the Calends of *January* as the day of their Originals, and possibly more there were, which have lost their date, still extant in the same Book without any Consulship annexed, or any Month or Day, though directed to the same *Mennas*, who was *Præfectus Prætorio* for this year, and also that which followed till the month of *August*; to whom a vast number of Constitutions are inscribed. He thought fit to give to his Subjects, a more free Scope of making their Testaments than formerly had been allowed, though by the twelve Tables themselves it seemed to have been indulged. He declared that no Errour or mistake of the Drawer or Writer of a Testament, either, in omitting, or inserting any thing therein contained, should make it Null; neither if he wrote down a Legacy before the naming of the Heir. And though this Prepostorous course might have been taken according to the mind, or direction of the Testatour himself, yet he would have the Testament good, which the former Law did not permit. He tolerated it also afterward in Stipulations, as well as Legacies. And still that he might add greater Freedom in this Nature, a few days after he declared that the formal observation or usage of the Ancients, as he termed it, should not be necessary in Nuncupative Wills. For of old, those that made such Testaments without Writing, were to protest in solemn Words, that the Witnesses were met together for that purpose, because before them he would name his Heir without Writing.

He begins on the first day of his second Consulship.

Indulges his Subjects as to making Wills.

l. 8. de Naturalibus liberis, Cod. Just. lib. 5. tit. 27. l. 24. de Testamentis, Cod. Just. lib. 6. tit. 23. l. Un. de his quæ pœnæ nomine, &c. Cod. Just. lib. 6. tit. 51. & l. 1. Quando & quibus quarta pars, &c. Cod. Just. lib. 10. tit. 34. Quatuor sunt quamvis trium tantum mentionem. Fr. Balduinus in Justiniano sub de Jure novo Commentario. rum libris 2. Quem de his rebus omnino consulte. l. 26. Cod. Just. de Testam.

14. This form of Protestation he declared not to be necessary. And he remitted as many other things to Testatours; see the forms of Words which they were bound to observe when they made their Wills. Amongst others, there was this called *Nuncupatio*. The Testatour holding the Testament in his hands said: *As is contained in these Tables, and under this Wax, so I give, bequeath and ordain. Therefore ye* Quirites *bear Testimony.* And the Witnesses thus required were wont to bear Testimony to the Testatour, who ought to hear what they said, so that of old a deaf man could not make a Testament. Whereas also in old time no Legacy could be left, so as to burthen the Heir by way of punishment, as if it was written: In case thou marriest thy Daughter to *Seius*, then shalt give *Caius* an hundred pounds, he left it free to leave such Legacies, provided as in other Conditional Legacies and Stipulations, if the Heir was Commanded to doe no unworthy or impossible thing.

Sect. 2. thing. To natural Children he allowed that more should be left in Legacy than formerly had been Lawfull; but afterwards published a Novel Constitution more in their Favour, which afterward we may take notice of. And he also made provision for Children obnoxious to the Services of Corporations, which he also thought fit afterwards to increase. All these things he enacted this first day of his second Consulship, or the first day of the first *January* after his coming to the Government.

15. The making of these new Laws, did not so divert him, but that still he was thinking and consulting about a new Model of the Old, and he came to such Resolution therein, that on the Ides of *February* following, he expressed it in an Edict, directed to the Senate of *Constantinople*. "In this Edict he tells them, that "those things which to many former Princes seemed necessary to be amended, but "which none of them were so bold as to bring to Effect, he now by the help of "Almighty God thought fit to Communicate to the publick, and to take off the "prolixity of Suits, by cutting short that multitude of Constitutions, contained "in the three Codes of *Gregorius*, *Hermogenianus* and *Theodosius*, of those also that "were made afterwards by *Theodosius*, other succeeding Princes and himself; "and by Composing one new Code, which should bear his own happy Name, in "which were to be Collected as well the Constitutions of the three Codes lately "mentioned, as other newer Constitutions made after them. Therefore for so vast "a work, which relates to the Sustentation of the Commonwealth it self, he tells "them, he hath made choice of Persons fit for so great care and trouble, viz. of "the excellent *John*, *Exquæstor* of his Sacred Palace, of *Consular* Dignity, and "a Patritian; and the most sublime *Leontius*, a *Magister Militum*, *Exprafectus præ-"torio*, of *Consular* Dignity, and a Patritian; the most eminent *Phocas*, a *Magister "Militum* of like *Consular* Dignity, and a Patritian; the most excellent *Basilides*, "Exprefect also of the East, and a Patritian; the most glorious *Thomas*, *Quæstor* of "his Sacred Palace, and *Exconsul*; the Magnifick *Tribonian* adorned with the *Ma-"gisterial* Dignity among the *Agentes*; the Illustrious *Constantine*, *Comes Sacrarum "Largitionum*, among the *Agentes*, *Magister* of the *Scrinium Libellorum* and of the "*Sacræ Cognitiones*; the most famous *Theophilus* a *Comes* of his Sacred Consistory "and Doctour (or Professour) of Law in that City; *Dioscorus* and *Præsentius* most "eloquent Gowned men, of the most ample *Prætorian Forum*.

Præfatio prima de novo Codice Faciendo præmissa, lib. Primo, Cod. Just.

He acquaints the Senate with his Designment of a new Code.

The Compilers of it.

16. "To these, he saith, he had given especial Power, having first cut off Pre-"faces (being superfluous as to the Solidity of Laws) as also left out such "as were of the same Tenour, or contrary (except another division of Law re-"quired it) as also such as were grown out of use, to compose out of them three "Codes and later Constitutions, Laws which were to be certain and written in "short, to place them under several Heads or Titles, adding and subtracting, and "even changing their Words, where the Convenience of the thing should require; "gathering into one Sanction, such things as had formerly been dispersed in vari-"ous Constitutions, and making their meaning more evident. Yet so that the Order "of times of the said Constitutions should be manifest, not onely from the addition "of Days and Consuls, but also from their very Composition, the first being placed "in the first place, and those that followed in the next; and if any were found "without Day and Consul, either in the three above mentioned Codes, or in those "wherein later Constitutions were contained, they should yet be placed with the "rest, without any doubt to arise concerning their general Force and Efficacy; as "also such Constitutions as were given out by way of Rescript to certain Persons, "or by a Pragmatick Sanction at the first, if inserted in this new Code, should be "of the same Efficacy with the general Edicts. These things he tells the Senate, "he hasted to bring to their knowledge, that they might understand how great "his daily care was for the common Utility, designing for the time to come to have "certain setled Constitutions and not to be doubted, and those Collected into one "Code; that out of it being called by his Name, in all judicial Proceedings, Con-"stitutions might be produced for the more speedy ending of Suits. Dated on the "Ides of *February* at *Constantinople*, the Lord *Justinian*, Father of his Countrey, *Augu-"stus*, being the second time Consul, which was in the Year of our Lord, DXXVIII.

17. To work now go these Lawyers, about the compyling of a new Code; but while they were so employed *Justinian* sate not idle, but busied himself with suitable Industry; either for adorning, and filling up that Code, or for the Illustration of the Civil Law. For of this year, besides these already mentioned, we find twenty four Constitutions bearing Date, whereof ten of the Calends, or first day of *June*. Of all these the Nature of our Design will not permit us to give an Account, because we write not a Book of Law, but History, and so vastly numerous

merous are the performances of *Justinian* in this kind, that onely the most material of his Laws, and of most publick concernment must be touched. The *Romans* were so tender of the obligations arising from Nature and Bloud, that by a Law not introduced by the *Prætor*, but by *Claudius Glicias* a Dictatour, as *Cujacius* was of opinion, it was permitted to bring an Action or Complaint against a Testament to make it void, wherein a Parent, Son or Brother, was passed by or Disinherited, as contrary to the Duty of such Relations. But about this Complaint, there arose in process of time manifold Questions, and in composing and setling the matter, *Justinian* very much laboured by publishing various Laws concerning this Subject, wherein yet he scarcely satisfied himself. It was of old strongly debated, whether one who had something left him by Will, but less than the share allowed him by Law, could bring this Complaint to null the Testament, as well as he that had nothing at all. *Pliny* was of opinion, that if the Heir offered to one so passed by, to whom nothing at all was left, the Legitimate part, which if left by Will, would have Excluded the Complaint, it would be a bar to this Action. In the opinion of Learned *Baldwin* he was mistaken. But by the ancient Law, if a Son was by his Father instituted in part, but less left him than his Legitimate share, he had an Action against his Brethren the Coheirs, for making up and supplying his share, rather than that of the Complaint for nulling the Testament, which was granted to him, in case they were not Brothers but Strangers, that were joyned with him as Heirs.

The *Querela Inofficiosi Testamenti*.

Lib. 2. c. 21. Querela Inofficiosi Testamenti.

Quem consule de Legibus Justiniani in lib. cui Titulus Justiniani sive de jure novo Commentariorum libri 4.

18. In like manner, if a Son was born after his Mothers Testament, being passed by, he was made Coheir with his Brothers, if such were instituted as Heirs, but if Strangers were instituted, he might bring his *Querela* or Complaint for dissolving the Will. In case a Son was not named Heir, but a Legacy was left him onely which yet reached not to his Legitimate share of the Inheritance, he could not bring his Complaint but onely his Action, for what was wanting, if the Testatour expresly ordained, that it should be made up by an indifferent Umpire. If so be, the Testatour left no such order, he was of old allowed to Complain. But *Justinian* would not even in this case permit him to Complain; his pleasure being that onely the remainder should be sued for, where something was left; and this he did he said for the bashfull reverence that's due to Nature: And when the Legitimate share should be computed, he would have an Employment purchased with the Father's money, to be reckoned into it. By another Law made this very day, he ordained that Employments should in certain cases be understood to be tacite cautions obliged to the payment of Debts. On the same day he also published another Noble Constitution, concerning Legitimate Successions, in what manner either a Mother or a Father might be joyned, with the Sisters or Brothers of the Dead, the Law having formerly been in no other part more various than in determining how Parents should succeed their Children dying Intestate. When *Justinian* came to the Government the custome was, that the Mother should so be joyned with Sisters, that she should succeed to one half of the Inheritance, and they to the other half. This Right of the Mother he now confirmed, adding that if there were Brothers, the Inheritance should be divided by Poll, not distinguishing as the old Law did betwixt Brothers. And whereas by a Constitution of *Constantine*, the Mother was bound to give a third part of the Inheritance to the Uncle, by the Father's side of the Deceased, his Son or Grandson. *Justinian* now ordained that she should not be obliged to doe it. Neither should it be material, whether she had the Right of three Children or not, which distinction was formerly made by the *Senatusconsultum Tertullianum*.

Regulated by *Justinian*.

L. 30. de Inoffic. testam. Cod. Justinian. lib. 3. tit. 28.

L. ult. de pignoribus, &c. Cod. Justinian. lib. 8. tit. 14.

He alters the Law as to the Succession of Mothers.

L. ult. ad S. C. Tertullianum. Cod. Justinian. lib. 6. tit. 56.

Jus trium liberorum.

19. For by that *Senatusconsultum*, Mothers had the privilege given them to succeed their Sons, but of old it was limited, in case a Woman of ingenuous Condition had three Children, and a *Libertina* four. But by another Law bearing date also on this very day, or Calends of *June*, *Justinian* removed this limitation, giving them full Right of succession, whether they had brought forth so many Children or not. What now he established as to the Mothers Right, hee afterward confirmed in his Institutions; but in the tenth year of his Reign, when he published his two and twentieth Novel Constitution, he forbad that the Mother should have a greater share of the Inheritance, when she was joyned with Sisters, than when she succeeded with the Brothers of the Deceased; but would have it divided to them by Poll. After this he granted that Right simply to the Father, which he now gave to the Mother. But in case there were a Father, to joyn in the Succession with the Mother, Sisters and Brothers of the Deceased, the Father should have the full profit or *Usus fructus* of the Estate, but the propriety should remain to the other,

L. ult. de Jure liberorum, Cod. Justinian. lib. 8. tit. 1.

Sect. 2. and be divided amongst them, in such manner as is aforesaid in case no Father was surviving.

20. From the Calends of *June*, we can observe no Constitutions made for the space of a month. But on the Calends of *July*, we find him and his *Quæstor* at work again, as if he had appointed the first day of the month to this Service, there being five Laws now extant in his Code, which bear Date of these Calends. On them we cannot insist, as belonging to the *Jus Privatum*, and not so proper for our Cognisance, who write not a Book of Law but History. Neither can we take much notice of most that follow of this year, though some of them be to be mentioned. On the sixteenth of *November*, by publishing a new Constitution against Rapes, he thought fit to abolish all those Paragraphs of the *Julian* Law, concerning this crime committed either against Virgins, Widows, or such as were veiled in Cloisters, whether found in the ancient Books of Laws, or in the Sacred Constitutions, so as this new Law of his, should answer all the Provisions made by them. Herein he ordains, that such as take away by force any Woman of free Condition, be punished with Death; as also such as give them assistence, especially if they be veiled. Such also as thus offend against Widows, though but *Libertinæ*, and the Slaves of other men. And especially those that committed this offence against Married Women. All liberty of Appeal he takes away from the Offenders, according as had been anciently determined by a Law of *Constantine*: If the Women on which the Rape was committed, were onely Slaves or *Libertinæ*, no Estates should be forfeited; but if of ingenuous Condition, their Goods moveable and immoveable, both of Principals and Assistents, should be recovered to the use and property of the Women so injured. He forbids such Women to be Married to those that committed the Rapes, but to be otherwise bestowed as their Parents shall think fit. The aforesaid Pains of Death and confiscation he declares shall be undergone by the Offenders, and those that assist them in Person at the commission of the Crime; all other Abettors and Receivers shall onely be punished with Death. All such Persons shall undergoe such pains though the Women be consenting. Parents not Prosecuting, shall be punished with Deportation. And if any of the Assistents be found to be of servile condition, the party whether Man or Woman, shall be Burned, as had also been provided by the Law of *Constantine*.

He publisheth a Constitution against Rapes.

L. Ult. de Raptu virginum, seu viduarum, &c. Cod. Just. lib. 9. tit. 13.

21. For the two first months of the third year of *Justinian*, wherein *Decius* (in the West) was sole Consul, no Laws are found dated, though possibly some of those that are without date, (and inscribed to *Mennas* especially,) might thence derive their Original. The Code went now briskly on till the seventh before the Ides of *April*, on which day being finished, it was directed to *Mennas* the *Præfectus Prætorio*, and before it was finished, *Justinian* hasted to make several Constitutions upon divers Subjects to be inserted in it. For besides what probably might be done in these two lately mentioned months, we find by certain Dates, that in *March* and afterwards, the *Quæstor* was at work, and from the eleventh before the Calends of *April* inclusive, to the said seventh before the Ides, eleven Constitutions to have received stamp from Imperial Authority. By one on the eleventh before the Calends, he took away more difficulties in making Testaments, so as they should opperate in favour of concerned Persons. On the Calends themselves, or the first of *April*, three Constitutions bear certain Date. I call it certain, because the Consul with month and day is also expressed; but there is another which though it want the Name of the Consul, yet because the Calends of *April* are expressed, and it is inscribed to *Mennas* the *Præfectus Prætorio*, *Baldwin* with reason sets it to this day also of this very year. The three former do so nearly concern the *Jus Privatum*, that they are not so fit for our Cognisance; this is of a more general Nature, and may be taken notice of by us. It determines that Criminal Causes shall be terminated within the space of two years, reckoned from the Contestation of the Suit, after which the Party shall by all means be absolved without any allegation or pretence to be admitted; or the Judges and their Officers shall fine in twenty pounds of Gold.

He restrains Minors from alienating their Estates on their own heads.

Ordains that Criminal Causes shall be terminated in two years.

L. 32. de Inoff. Testam. Cod. Just. lib. 3. tit. 28.

L. ult. ut intra certum tempus, &c. Cod. Just. lib. 9. tit. 44. Dat. Cal. Apr.

22. Of old time, a Criminal Action was to be finished within the space of one year, so favourable seemed the cause of accused Persons to be, who, while in Bonds they defended themselves, could neither manumit, nor make Donations, néither be witnesses for nor against, nor look after Honours. The year was to take its beginning from the Inscription (of the Accuser's Name, who if he proved not the Crime, was to undergo the *Lex Talionis*,) in such cases where an Inscription was required, and where it was not from the contestation of the Suit. If the Accuser did not finish what he had to doe in a years time, he was branded with Infamy,

Th. 36. lib. 3. Cod. Theodof. Vide Gothofr. in Com. Baldwin. ubi prius. p. 51. Cujacium, lib. 1. Obf. 8.

Infamy, or if of more base Condition Banished; and besides this forfeited the fourth part of his Estate. But now instead of one, *Justinian* thought fit to grant two years for prosecution, and therefore when *Tribonian* composed his Code, and was to insert in it the Laws of that of *Theodosius*, the Title which runs *that within a year a Criminal Action is to be terminated*, he thus interpolated and changed, *within a certain or determinate time*, and he did the same thing in the Laws themselves. Yet notwithstanding, such was his carelesness or forgetfulness, that in several places of the Digests, he left some remainders of the old Law, which circumscribed the time of prosecuting a criminal Action within a year. Hereupon the mistake of some Interpreters hath risen, who after a years time imagined that an accused Person might sue for Honours, which opinion was founded upon his inserting still the remainders of the old Law. But *Justinian* afterward allowed the term of three years for deciding Civil Causes, and pecuniary Matters, but allowed two for Criminal onely, and out of respect to the accused Persons, is thought to have inlarged it so far and no farther. Of old time possibly he was put in mind, that in pecuniary Causes time of delay could be given but once, in Criminal to the accused thrice, and to the accuser but twice. But hereby nothing was altered as to what *Zeno* had Ordained, that a Magistrate should speedily be tried after the coming out of his Office, as *Justinian* made it a singular Case, that what was objected against a Clerk, should be decided within two months. Sect. 2.

23. Of the ninth before the Ides of this same *April*, is a Constitution bearing Date, whereby he declared that if one Stipulated, to give or doe something at a certain time, under a certain Penalty, in case he faild, the Penalty should take place, though he pretended he was not put in mind; for he himself ought to have remembred it. Now this, he saith, he doeth, to take off the obscurity of the old Law, which gave occasion to the protracting of Suits, but *Baldwin* shews in several particulars out of the Pandects, that the opinions of the ancient Lawyers in this particular were very express, and this was not any new Law. On the day following, or the eighth before the Ides, seven Constitutions bear Date. Whereas Persons were not at Age, till they had completed twenty five years; yet when young men were found to be frugal and discreet, after that of twenty, they were sometimes allowed to govern their own Estates by the indulgence of the Prince. Now *Justinian* thought fit to prohibit them, as also other Minors, to alienate or ingage their immoveable Estates, without the authority of a Decree interposing. By another made this day, he declared the Emperour and his Empress free to make gifts to each other during Matrimony, which others could not doe, so as they should forthwith be Valid, without expectance of the Death of the Prince; forasmuch as Imperial Contracts (he calls them,) are as so many Laws, and need no assistence from without. By another Constitution of this day, he provided for Modesty, otherwise than what before had been practised, at least as he imagined. There had been some controversie how Puberty should be made out and proved; some said by the Habit of the Body, and ability to generate; but most agreed upon the Age of fourteen years in a Man, as twelve in a Woman, as is proved from *Tertullian* and others. But though this opinion of the *Proculeians* was the most received, yet to take off all doubts and controversies, *Justinian* thought fit to Establish it by Law, and to prohibit all unseemly inspections of the Body: This was convenient to be setled, because one not arrived at Puberty, could not contract Matrimony, make a Testament, give Testimony, nor be bound to any thing without the authority of his Tutour intervening. Full Puberty ended, of a man in his eighteenth year, and of a Woman in her fourteenth. And a Boy was wont to nourish the Hair of his Head till his fourteenth.

L. 12. de contrahenda & committenda stipulatione, Cod. Just. lib. 8. tit. 38.

L. 3. de his qui veniam ætatis impetraverunt, Cod. Just. lib. 2. tit. 45.

L. 26. de donationibus inter virum & uxorem, Cod. Just. lib. 5. tit. 16.

Clears all doubts as to Puberty.

L. ult. Quando Tutores vel Curatores esse desinant, Cod. Just. lib. 5. tit. 60. vide Notas in l. & Baldinum ubi prius. p. 74.

24. There is another Law bearing Date also of this same day, which with others of the same nature, relates to a remarkable Subject. The Subject is that of Usury, or interest for Money and other things borrowed: And this Constitution relates to the Treasury, prohibiting that it receive any Interest, but according to a former Law made by him, which hereby he confirms. Now that Law must be one which is of the same tenour with this which confirms it, and indeed no other than a Noble Constitution directed also to the same Person, *viz*, *Mennas*, now *Præfectus Prætorio*, in the Consulship of *Justinian*; though how many times Consul and the day be not added. Indeed *Justinian* made many Laws concerning Usury, though he ordained nothing but what had formerly been such concerning the Obligation, the cause whence Usury descended, & how it was contracted, whether by Stipulation, Pact, or Delay; but concerning the manner, end and quantity of just and lawfull Interest, he first enacted many things, liking none which had formerly

He regulates the matter of Usury.

L. Ult. de fœnoribus, Cod. Just. lib. 10. tit. 8.

L. 26. de Usuris, Cod. Just. lib. 4. tit. 32.

Sect. 2.

been made by the *Romans* upon the same points. And in the old Common Wealth, they varied much as to their Laws and practice in this kind. By the Law of the twelve Tables, that Usury was onely permitted, which they called *Usura Unciaria* being one in the Hundred, whenas before that time it was as pleased the monied Men. After that, (ten years its said,) it was brought by a Tribunitian Law to half an one in the hundred; and when even this proportion also seemed grievous, *L. Genutius* proposed a Law to the People, that no Usury at all should be taken. But the practice being suppressed, Covetous or Concerned Persons betook themselves to Frauds. They had a way to transmit the Obligation to others, who were not obnoxious to the Laws, as those they called *Socii Latini Nominis*. To obviate this *M. Sempronius* the Tribune, by order of the Senate, proposed a Law, and the People enacted, that the same Law should hold in the case of Borrowing and Lending money, with the *Associates of the Latine Name*, as with *Roman* Citizens. However *Tacitus* writes, that though many Laws were made by the people for to cut off all Fraud; yet though repressed, it renued again by strange slights and devices. However, for the sake of Commerce and other Conveniences, it still was found convenient if not necessary, that Usury should be permitted, and the highest rose to the *Usura Centesimaria*, which contained twelve times the *Usura Unciaria* but now mentioned.

Tacitus, Annal. lib. 6.

Vide Calvini Lexic. in v. Usurarium fœnus.

How the matter of Usury stood in old time.

The *Usura Centesimaria*, and *Unciaria*.

25. For the better understanding of this, and many other matters relating to the *Roman* Laws and Customs, it is necessary that the Reader know something concerning their Usage, and Division of their *As*. Here, in short, it may suffice to say, that this word being the same import with a *Nummus*, with *Libra* and *Pondo*, was also received to signify any thing that was whole and Integral. For the Ancients when they divided any thing into equal parts, as an Inheritance, or any such other thing, were wont to call it *As*, and the parts of it so divided, *Unciæ*. And into twelve *Unciæ* they divided it, as the Pound is still into so many Ounces. And the several parts had their proper Names, as two *Unciæ* were called *Sextans*, three *Quadrans*, four (or a third part of the *As*,) *Triens*, five *Quincunx*, six *Semis* or an half, seven *Septunx*, eight *Bes*, nine they called *Dodrans*, ten *Dextans*, eleven *Denax*, and the twelve, or the whole, *As*. Now to apply this to our present matter of Usury or Interest, it must be known that the principal money was wont to be reckoned by the Hundred, as now-a-days. And this the *Romans* are said to have taken from the *Greeks*, who for a more commodious way of Accounts, reduced their Principal to a *Mina*, which contained an hundred Drachms. Now then when one in the Hundred was paid for Interest by the year, this they called *Usura Unciaria*, but not *Centesima*; for the *Usura Centesima* was when one *Uncia* or the hundredth part of the Principal was paid every month, and so twelve *Unciæ* or the whole *As* in a year, which indeed was twelve in the Hundred. But their Custome was to pay their Interest every month, and when one *Uncia* was monthly paid, this was called the *Centesima* indeed, or full Interest, being the *As* of Usury. Hence followed other lesser as Parts of this *As*. *Semis* when but half of it was paid in the year, or six in the Hundred, *viz.* Half an *Uncia* every month, or half an one in the Hundred; *Quadrans* when a fourth part, and so proportionably.

The *As* was divided into twelve *Uncia* and their names.

26. Notwithstanding all Indeavours to the contrary, yet the *Centesimaria Usura* seems to have been the most common, and even that called *Legitima* in the Law Books. Some have held that it was lessened by the *Lex Gabinia*, because *Cicero* signifies to *Atticus*, that some such thing was comprehended in that Law, which he himself followed in his *Edictum Tralaticium*, or that which according to the Custome of the Ancients, he took and transcribed from the City into his Province. *Plutarch* also writes, that *Lucullus* in *Asia* prescribed those bounds. Both *Tacitus* and *Suetonius* mention a Law made by *Cæsar* the Dictatour, concerning the manner of Lending and holding Possessions within *Italy*. What it precisely determined we know not, though it seems that in the time of *Tiberius*, the Lenders took more for their Money, than by that Law they might do, which Law lay neglected, the publick good, he saith, being less valued than private Commodity. This caused a multitude to rise up as Informers, against such as transgressed the Law, and *Gracchus* being *Prætor*, unto him the examination of the question fell. He being constrained by the multitude of such as were indangered thereby, propounded the matter to the Senate. The Senatours being afraid, for there was none of them free from that fault, craved respite of the Prince. He granted them a year and six months, within which time every man, according to the prescript of Law, should settle his Estate, and make up his Domestical Accounts. Upon this, every man calling in his

Vide Baldwinum ubi supra.

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his Debts, on a sudden there followed a great scarcity of Money; and by reason that so many were condemned, and their Goods sold, all the Coin ran either to the publick Treasury, or that of the Prince. The Senate ordained, that two parts of the Use-money should be laid out on Lands in *Italy*: but the Creditours disliked it, and urged the payment of the whole, as a matter impairing the Reputation of the Parties convented, to go from their word.

27. At first there was great running hither and thither, and Entreaties used. Then they flocked about the *Prætor*'s Tribunal: and those things that were proposed for a Remedy, as selling and buying such Mens Goods, turned to a contrary effect, because the Usurers had hoarded up all their Money to buy Land. And because the multitude of Sellers made Land very cheap, the more a man was indebted, the more unwilling he was to sell. Many were thrust out of all they had, and with their Wealth their Credit also sank, till *Tiberius* relieved them, by putting an hundred Million of Sesterces into a Bank, and lent it for three years without Consideration or Interest, provided the Debtour could give security to the People of *Rome* in Lands double the value of the Debt. By that means their Credit was restored, and other private Creditours by little and little appeared. Neither was the buying of Lands practised, according to the Decree of the Senate. Though it was hotly at the beginning pursued, in the end it was carelesly neglected, as almost all such things are. Such was the stir about Usury, as *Tacitus* relates it, in the time of *Tiberius*, and it seems that the Practice returned to be much as formerly, and the *Usura Centesima* continued even to the time of *Justinian*. He was against it, as too hard and exacting; but to settle the full matter of Interest there was need of good consideration. It could not be done in a word or two, but was to be fitted to various circumstances.

The great stir that happened in *Tiberius* his time about Usury.

Justinian dislikes the *Usura Centesima*.

28. For a distinction was to be made between Creditour and Creditour, Debtour and Debtour, the thing that was lent was to be considered, with the Condition of the Obligation, what delay there was in the case, or how long the Creditour wanted his money. *Arcadius* and *Honorius*, as we have formerly seen, ordained that Senatours should not stipulate or receive more than half the *As*, or six in the Hundred. But now *Justinian* thought fit to restrain Illustrious Persons, under whom they were comprehended, to a *Triens*, or four in the Hundred. But as *Baldwin* words it, he did not think his own Treasury so illustrious, but that he permitted it to receive six. For a little after that Constitution he published another, whereby he enacted, that his Treasury should be bound by that Law, yet so as it might require the *Usura semissis*, which was vulgar and common. *Paul*, the great Lawyer, had formerly answered, that one who had received Interest less than six, yet if he became a Debtour to the Treasury, should to it pay the full six. Now *Justinian*, in general, defines that always six shall be allowed to the Treasury, but no more, whether it be a Debt principally and originally belonging to it, or that Actions be transferred to it from other Creditours. But Illustrious Persons he will allow to receive but four, which sort of Interest is, by Lawyers, called the lighter, as six, by *Pliny*, is termed civil, and moderate. *Lampridius* writes of that excellent Prince, *Alexander Severus*, that he to took but four in the Hundred; and in old time it was answered, that when any thing were yearly left to the Commonwealth, the Interest was to be of four onely, in the *Falcidian* Law. When any thing was delayed to be paid to the Commonwealth, as the setting up of a Statue, left as a Legacy to the People of *Rome*, *Paulus* also said, that but four in the Hundred were to be exacted for that delay. In like manner *Justinian* ordained, that if the Dower was not paid for whole two years after Matrimony contracted, or if after the dissolution of the Marriage the Husband did not restore back the Dower, consisting in moveables, for such *Mora*, or Delay, Interest of four in the Hundred should be paid. To which something like had formerly been appointed.

Restrains that of Senatours to four,

Though not that of his own Treasury.

29. But Traders *Justinian* permitted to take eight in the Hundred, others in general onely six, whereas twelve had been formerly permitted to all. Herein he considered the Persons of the Creditours, or of those who put out their money. And he also had respect to those who received upon Interest. He had at length pity upon miserable Husbandmen, to whom the State is so much beholden, ordaining, that to no Creditour whomsoever they should pay more than four in the Hundred, or not much more than four, *viz.* one *Siliqua* yearly for every *Solidus*, of which it was the four and twentieth part. But those whom he eased in the Interest of Money, he seems to have burthened in that of Fruits. For he allows the eighth part of a *Modius* to be stipulated for every *Modius*, which a little exceeds the *Usura Centesima*, or twelve in the Hundred. And indeed when he

Novel. 32, 33, 34.

Permits Traffickers to take eight, and others onely six.

Eases Husbandmen in Interest of Money.

But rather burthens them in that of Fruits.

Sect. 2. he publisht his first Constitution formerly mentioned, he permitted all Persons to take the *Centesima* upon Commodities, though not on Money. And now he remits nothing, except it be for Bread-corn lent to Husbandmen. The reason was, because Husbandmen are wont from sowing such seeds to receive the Interest of two hundred, or more, and otherwise the prices of such things are so uncertain, that he seemed to find reason therein to consult the advantage of the Creditour, to whom the thing borrowed might be paid, in, or at, a time wherein the value of it was faln, which rarely happened unto Money, the quantity of money consisting in the value, but that of other things in weight and measure. *Constantine*, as we formerly observed, put a restraint upon the Usury of Fruit, forbidding more to be taken than a third part, or, allowing that, if two *Modii* of Corn were lent, a third should be returned back for the use of the two, so as these two, and it, should make up three parts, and, in reality, an half of the whole should be returned for Interest. This was a Reformation of the old Extravagance and Extorsion, made by *Constantine*; but notwithstanding this, and that, the *Usura Centesima* was left by him as it formerly was, though he forbad it to be exceeded, the Interest of Fruits was three times greater than that of Money.

And why.

30. Both the one and the other sort *Justinian* found to be too great, and what he did as to that of money we have already said. Other Usury than that of Money he forbad to exceed the *Centesima*. That he allowed, and he allowed it to be taken of Husbandmen, from whom otherwise he forbad so much to be exacted for the use of Money, as from other men. For Fruits he grants they might take double of that of money, permitting, though but a *Siliqua* yearly for every *Solidus*, yet for a *Modius* of Corn an eighth part to be stipulated. To evade this Law, Creditours afterward were wont, when they lent Money, to say, they lent it to buy Corn, and stipulate the Interest to be that of Corn, to obviate which fraud *Justinian* took care in the law formerly mentioned. Thus he had respect to what was lent, and considered who it was that borrowed, and who lent, in these his Constitutions. But he also distinguished according to the Danger and Risque the Lender was like to run. So that if he was to bear the loss, if the fruits that were to be sown miscarried, he restrained him not by Law. Neither was that the Lawyers call *Antichresis* formerly so restrained by Constitutions, but that it might be used, provided there was no fraud therein. They called it *Antichresis*, when the Creditour received the Fruits of a piece of ground, or other thing, which was given in pledge for Money lent. And *Lucullus* seems to have attempted to restrain the practice of it, and to reduce it to moderation. To be sure both the obligation of it, and of other sorts of Pledges, was dissolved, if the Principal was tendred. However *Justinian* forbad, that the Fields or Goods of Husbandmen should be held by the way of *Antichresis*. The Ancients indeed prohibited the Instruments of Husbandry to be taken or obliged this way, but he extends the Prohibition to other of their things, though the Creditour lent them the Corn, and underwent the danger of the miscarriage of the seed. For miserable must be the estate of the Husbandman, and Husbandry it self must be disturbed, if their grounds be held and tilled by other men.

Other Interest than that of Money he forbids to exceed the *Centesima*.

L. 16. *de Usuris.*

Forbids the *Antichresis* in the Lands or Goods of Husbandmen.

31. There was another sort of Usury, as remarkable as any of the rest, if not more, and that arose from Money lent for Traffick by Sea, called *Fœnus Nauticum*, and *Trajectitium*. In case the Creditour took upon himself the danger of Sea and Navigation, nay and in such case subjected the very Principal to danger, the Ancients judged Usury to be free, and by no means to be circumscribed, it being indeed the price of the danger rather than any thing else. But such Contracts *Justinian* thought fit to restrain to the *Usura Centesima*. Yet afterwards he found, that these *Contractus Trajectitii* were so various, that they could not conveniently be regulated by one Law, and his Resolution was various about them. In order to a right determination, concerning lawfull Interest in such Cases, a distinction must be made in reference to the condition of the Money lent, and the peril undergone by the Creditour. Moreover it's to be known, that the Law so often mentioned concerning the moderation of Usury, properly belongeth to Stipulations and Contracts, and that sometimes, even by the Imperial Constitutions, greater Interest was due without contract. As *Justinian* himself afterwards declared, that the Interest of such things as had been decreed in Judicature, concerning which the Law had passed, should be that of the *Centesima*, if so be the Party cast did not make payment after four months, provided it should be onely for the Principal, not for any former Interest due upon the Principal, though they had been joined together as one in the condemnation. And yet he declared by the former Law, that no greater Interest should be exacted for Contracts, than he therein allows, though the Contracts had been made before the

The *Fœnus Nauticum* uncertain.

L. 26.

Interest of things obtained in Judicature allowed to be of the *Centesima*.

L. ult. Cod. Just. de Usura rei judicatæ, lib. 7. *tit.* 54.

Sect. 2. the Law, in the time when it was lawfull to stipulate greater. And what is more observable, he permitted not the course of Interest to exceed the double, or more to be paid for Use, than the whole Principal amounted to; nor though there was a Pledge in the case.

Interest not to exceed the Principal.

L. penult. Cod. de Usuris.

32. This was received of old for Law, that when the Interest did equal the Principal, the payment of it should cease, although it was the *Usura Nautica* and *Trajectitia*. But *Justinian* insinuates, as *Baldwin* observes, that there were some old Laws, by which, if the Creditour had a Pledge, he might retain it, and so by it, exact even greater Usury; which Laws, whatsoever they were, he took away, that so the Moderation of Interest, which he brought up, might be preserved. He also observes another effect of this Moderation of our Legislatour. In reference to the doubling of the Principal, and stopping of Interest when it should have equalled it, *Antonius* the Emperour, by his Rescript, declared, that to the making up of that summ which equalled the Principal, such Interest as had formerly been paid should not be reckoned, but onely such as were in arrear from the Debtour. But *Justinian* considering, that by this means a knavish Debtour might have the advantage above the honest and well meaning, who constantly kept his day of payment, and that a covetous and exacting Creditour should fare better than one who was generous, and not exacting or precise in getting Money, though he had at first taken that Rescript or Law of *Antonius* into his Code, yet at length he thought fit to repeal it, and ordained that Interest already paid, and the several payments of it should be reckoned to make that summ, which equalling the Principal should discharge the Debtour from farther Usury. This his favour was abused by certain Creditours, who extended it to extinguish some pecuniary Incomes, which otherwise were perpetual, which constrained him to publish another Novel Constitution whereby he represt that interpretation. For when the Creditour can call in or recover his Principal, it is a fault in him to chuse rather to oppress the Debtour with Interest; and therefore where he doth not call it in, the Law stops the Use-money; and he may thank himself for suffering his Principal to lye dead in the Debtour's hands: But if it be so alienated, that it cannot be recovered, and by the payment of it, a Pension or Annuity be purchased, though with that Condition, that the Debtour, by repayment of the Principal, might discharge himself, it seemed hard, that having for some years onely paid as much to the Creditour as it came to, he should refuse to pay Interest still for that Money which he kept in his hands, and which the Creditour could not recover out.

Former payments to be reckoned in.

Novel. 121.

Novel. 160.

But this now restrained.

33. Another particular is still behind, which shewed how moderate this Legislatour was in point of Usury. The old Laws forbad that Use should be taken for Use-money, or Use upon Use, insomuch that they marked him with Infamy that should require it. Yet, as *Justinian* observes, they did not make sufficient provision against the practice, but by permitting the Interest to be turned into Principal, and then the Interest of the whole summ, so put together, to be stipulated, made it all one thing to the Debtours, and thereby regulated not Things but Words. But he resolved to obviate this fraud by defining, that, to take off this colour and vizard of Justice, no Use-money or Interest should be turned into, or receive the name of Principal, and Interest stipulated to be paid for it. Yet this Law seems to be imperfect, no Sanction or penalty being added for the fault it prohibits, and therefore it is demanded what punishment such Offender is to suffer. In the Law at first mentioned, as well as in this, he added, that stipulations made contrary to these Laws should be of no force; and in favour of Husbandmen he was more severe, ordaining, that such as did not observe his Novel Constitutions in that point, should lose their Principal. This *Baldwin* observes, and since him *Molinæus* embraces the opinion of such Lawyers, as think an infamous Usurer may be punished criminally, and may be tortured, though in the Laws no such provision be made, and this he had seen done in the Parliament of *Paris*. *Plato's* Law was very severe also, which would permit the Debtour so exacted upon to pay neither Interest nor Principal. But *Baldwin* pronounces such Theoremes of Philosophers to be too confused, and to disturb the Commerce of humane Societies. As also that the Laws of other Nations, as to Usury, kept no mean nor distinction, but were intemperate and infinite, and either prohibited or permitted every sort of Usury. But how more wisely, saith he, and considerately did *Justinian* act? And yet he adds, Posterity bewitched with a foolish sort of Superstition, and sillily abhorring the name of Usury not understood, whenas they did not refuse the thing it self, hath dared to inveigh against so good a Legislatour in this kind.

Hoc certè erat non rebus sed verbis, tantummodo legem ponere, l. 28. *de Usuris.*

Interest forbidden to be changed into Principal.

L. 26.

The Laws of other Nations were extravagant in this point of Interest.

Vide Notas in l. 20. *ex quibus causis infamia irrogatur, Cod. Inst. lib.* 2. *tit.* 12.

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34. We have done with the business of Usury, but shall farther take notice, that the same Day he made the Law which gave occasion to the Discourse upon this Subject, he published another on a different, wherein he altered the Law as it had formerly stood. The Ancients prohibited mere Donations betwixt Man and Wife, for according such Inconveniences as extreme affection or importunity might procure betwixt them. They prohibited them not when they were first contracted; but this sort of Donation is said to have had a tacite condition, if Marriage followed, especially by a Law of *Constantine*; for indeed before, when no cause was expressed, nor any condition, the ancient Lawyers seemed to interpret it to be a pure and liberal Donation, so as the thing became presently theirs, to whom it was made. There was a third sort of Donation before Marriage; which was not a mere Donation, but for consideration, being, as it were, a certain compensation of the *Dos*, or Portion, which the Wife brought; or our Jointure in *England*, which the Husband contributed as she did her *Dos*. *Baldwin* saith, this sort of Donation was unknown to the ancient Lawyers, even by confession of *Justinian*; but in the time of the later Emperours, when Barbarism diminished the Dignity of Husbands, and when men became thereupon uxorious, it began to be in use, there being no mention of it in the Pandects. Hereupon though the *Dos*, or Portion, be said to be by the Law of Nations, yet he scarcely allows this to belong to the Civil Law. And at first it was not prescribed how much the Man should give or contribute upon this Account. But *Leo* and *Anthemius* decreed, that some equality of Portion should be observed in the Pacts of the *Dos*, and this Donation, that on such terms as the Husband gained a third part of the *Dos*, the Wife should gain in like manner a fourth of the Donation.

Donations betwixt Man and Wife prohibited.

Not when first contracted.

Sponsalitia Donatio.

The Donation, answering our Jointure, not anciently known to the *Romans*.

Et propterea ab Justinianeo vocantur quæ ita donantur.

Primo appellata est Donatio ante Nuptias, sed Justinianus eam vocari mandavit Donationem propter Nuptias, cum eam etiam post Nuptias fieri permitteret, ut ipsum Dotem. l. ult. tit. 3. lib. 5. Cod.

35. This equality therefore might otherwise be unequal, and Interpreters commonly, though barbarously, said it was *quotitativè*, not *quantitativè*; yet *Justinian*, when he made his Code, was content to admit it. He onely added, that *if the Pacts were unequal, they should be so reduced to equality, that the greater gain should be brought down to the less*, as if the Wife compacted to gain a third part of the Donation, and the Husband but a fourth, that Pact of hers should onely be understood to be of the fourth part. He afterward in a Novel Constitution approved this Law; but some time after, by another, he enacted, that both in quantity and frame of this Donation for Marriage, such equality should be observed betwixt it and the *Dos*; that so much should be contained in it as in the other. He had formerly ordained, that the Donation should not be greater than the *Dos*. He was afraid that the Law which prohibits a simple Donation to be made from the Husband to the Wife, should be infringed; and herein, contrary to his wont, he seemed little to favour Women, by repressing the liberality of their Husbands. But this Donation tended to their advantage, the *Dos* being better secured to them, and thereby the Husband being hindred from breaking the Matrimony by divorce, rashly, and without a cause. Indeed the Wife, in respect of her *Dos* she brought with her, had a great Obligation upon all her Husband's Estate; but besides, this condition was profitable; for the Husband could not alienate such things, especially if immoveable, though the Wife consented, as the Legislatour determined. And then, as the Woman divorcing her self without cause, lost part of her *Dos*, so the Husband, in such case, lost part of his Donation also.

Quotitativa non quantitativa.

Justinian takes pains in this Affair.

Nov. 22.

Nov. 97.

Nov. 61.

36. The day following the date of all these Constitutions lately mentioned, or the seventh of the Ides of *April*, presents us with one directed also to *Mennas*, wherein *Justinian* will have all due honour and respect paid to Judges, and ordains, that in case a Judge have omitted to tax the Expences of a Suit, and to award them to him that overcomes his Adversary, there shall be no need of any Appeal, but the Judge, *ad quem*, to whom the Adversary cast, of course appeals, shall have power to decree him a compensation for the said Costs and Damages he hath sustained. Though all or most of the other Constitutions were made before the Code was published, yet we can scarcely think that this was, because on this very same day we find the Code it self set forth, though *Baldwin* would have it the day following. It appears so to have been by the date of the Edict, prefixt to it for its confirmation, which, in our later Edition, bears date of the seventh of the Ides of *April*, and is directed also to *Mennas*, as *Præfectus Prætorio*, Exprefect of the City, and Patrician, which *Mennas* continued to be Prefect to the Month of *August* of this year. He begins his Edict by telling his Subjects, "That the main defence of the State "proceeded from two fountains, of Arms and the Laws, which exerting thence its "Power, had procured the happy Stock of the *Romans* to be preferred before all "Nations, had caused them to have Dominion over all People for the time past, and

Prohibits Appeals in point of taxing Costs.

L. ult. Quando provocare non est necesse, Cod. Just. lib. 7. tit. 63.

He publisheth his Code.

De Justiniani Codice confirmando.

"and with the Favour of God, would doe the like for that to come. One of these, "he adds, always stood in need of the Assistence of the other, the Affairs of War "being kept in safety by the Laws, as well as the Laws preserved by the safe-guard "of Arms. That therefore applying his Mind, and Indeavours to the chief "means of the Preservation of the Commonwealth, he had by manifold means, "and provident Methods amended the State of the *Militia*, as well by reducing "the ancient Laws into a better Frame, and that in a short space of time, as by "ordaining new, yet without any new publick Expences.

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The Edict of publication.

36. "But it being necessary by reducing into Brevity, the multitude of Constitutions as well found in the three ancient Codes, as those added afterward, to "take away the obscurity of them, which cast a mist before the Judges in "their Decisions; for the performance of this common Good, with the Assist"ence of God, he applyed himself earnestly to it, and having made choice of "Men, who were most Glorious, for their learning in the Laws, their experience "in the World, their indefatigable Industry for the good of the State, and their "laudable Design, with certain Restrictions, he committed to them this great La"bour, by which the Constitutions of the three Codes of *Gregorius*, *Hermogenia*"*nus*, *Theodosius*, together with the Constitutions of the said *Theodosius*, of suc"ceeding Princes, and such as had been made by himself, he commanded to be "collected into one Code; which should be named after himself. The Prefaces "he tells us, were to be taken away, as affording no suffrage to the Sanctions, as "also such contrary Constitutions as were made void by others, more lately pro"mulgated, such also as being to the same purpose, and made no distinction in "Law; besides many other things, he gave in Charge to those most prudent Per"sons; and the Omnipotent God gave Assistence to his Endeavour, which was un"dertaken for the Commonwealth. After this, he declares that those Persons formerly "named, according to their several Titles and Qualifications, which here it will "be needless to repeat, viz. *John*, *Leontius*, *Phocas*, *Basilides*, *Thomas*, *Triboni*"*an*, *Constantinus*, *Theophilus*, *Diofcorus* and *Præsentinus*, being chosen for com"pleting so great a Work, had by the help of God, brought what he had com"mitted to them, through their sedulous and most vigilant Industry, and their "moderate digesting of Matters to a prosperous Issue, and had presented to him a "new *Justinianean* Code so composed, as should be profitable to the Common"wealth, and agreeable to the Constitution and Interest of his Empire.

37. "Then applying his Speech to *Mennas* the Prefect he tells him, that he "thought fit to direct this Code, which for ever should be of force to the Judg"ment of his Highness, that as well all that have Suits, as the most eloquent Ad"vocates may know, that in all Causes and Tryals, they insist not for the time "to come on any Constitutions found in the three ancient Codes now mentioned, "or on any amongst those at this time called Novel Constitutions; but onely make "use of those inserted in his Code, under pein of Forgery. For he saith, the "reading of the Constitutions of his said Code, if the Labours of the ancient Inter"preters of Law be added, are sufficient to decide all Controversies; there being no "doubt to arise, either for that, some of them are without Day or Consul, or for that "they are Answers to certain Persons; it being most evident, that they all obtain the "force of general Constitutions; although some of the said Constitutions be so "framed, that certain words be taken away, added or altered, which Liberty he "had given to the said most Excellent Persons. He forbids that, any reciet them "out of the Books of the ancient Lawyers, otherwise than they are in his Code, "permitting them onely to commend the opinions of the Interpreters, which shall "onely so far be of value, as they do not contradict the Constitutions of his "Code. If there were any Pragmatick Sanctions which had not been received in"to his Code, perhaps granted to Cities, Bodies, Schools, *Scrinia* or Offices, or "to some certain Person; if so be they granted any special Privilege and Indul"gence, they should remain in force; or if they were designed for certain Heads "or Chapters, then they should be of force if they were contrary to no Con"stitution in his Code. In like manner, if any thing had been done in the Court "of *Mennas*, or other Civil or Military places of Judicature, or at the *Principia* "*Numerorum*, in reference to publick Expences, or any Titles relating to the pub"lick, he adjudges them to be valid as the common Utility doth require. And "now he concludes with an Epilogue, which he, or his ten Compilers of the Code, "have cut off from all the Constitutions therein comprized. Let therefore thy "Magnifick and Illustrious Authority, according to the Vigilancy thou usest in "behalf of the Commonwealth, and in fulfilling our Orders, cause the said Code

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"stome. The Text it self also of the Code, is to be sent into all Provinces subject
"to our command, with our Divine (so still they used to word it) Subnotation,
"that so the Constitutions of our Code may come to the knowledge of all;
"and that there being Festival days to come, that is from the sixteenth day before
"the Calends of *May*, of this present seventh Indiction, in the Consulship of the
"most famous *Decius*; Quotations and Authorities of Constitutions, may be made
"of from our said Code. Given on the seventh before the Ides at *Constantinople*, De-
"*cius*, the most Famous, being Consul, A. D. DXXIX.

38. In this Edict he commends much his ten Compilers, for their Industry and Skill; whatever their Industry was, their haste seems to have been too great and precipitate, having taken but the time of fifteen Months, for the Collecting and Interpolating of this Code. This indeed they might the more easily doe, because he gave them leave to take away the Prefaces to the several Constitutions; which afforded no light to the Sanctions. But they took away both Prefaces and Epilogues, and thereby deprived us of a great Light, which they would have afforded the occasions, and consequently the reasons of the Laws. It were to be wished they had taken away all contrary Constitutions, and those of the same Tendency and Effect. And that the Liberty he gave them of taking away, adding and altering Words had been more cautiously used, as with great Grief to all understanding Men, it is found that it was not; their Interpolations being most notorious. And *Justinian* by the persuasion of them or others, seems to have made too too much haste, having scarcely put into this Code, the tenth part of the Constitutions he found requisite afterward to add of his own device. At the same time, that he published this Code (which he ordained should be of Force, from the sixteenth before the Calends of *May*, or the fourteenth of *April*) he was still hammering new Constitutions, it is therefore admired that he should not defer the Publication of it, till they were finished. And he found so much occasion for the increasing their number, that for the collecting and inserting of them, a new Edition of the Code was afterwards found necessary.

The haste of the Compilers censured.

39. The very day following the Confirmation of the Code, we find a Constitution directed to this same *Mennas*, whereby the Emperour declares such Privileges as were ordinarily granted to Souldiers, in declining Exceptions, and in the Restitution *in integrum*, should onely hold in the time of Expedition, and not when they lay in other places, or at home. And whereas Military men had also allowed them great Liberty, in making their Testaments, which set them free from the Solemnities, which in those of others were required, by another Edict directed also to *Mennas*, he declared that they should onely hold in such Expeditions, and not at all times. This bears Date on the fourth day before the Ides, and on the Ides themselves, another Constitution is still directed to *Mennas*, whereby he declares that such Alienations as had been made of the Goods or Estate of a *Minor*, or one under Age, without the Intervention of a Decree shall be good; if the said *Minor* after his coming to Age, or twenty five, did not contradict it, but held his Peace for five years. But whereas a *Minor* could make no Donations, though with a Decree, in the time of his Minority, except onely for the cause of Marriage, he will not have them valid, except such Person after he came to Age, shall if present be silent ten years, and if absent twenty. And if he dyed before those Terms completed, his Heirs within the remainder of the Term may recall, if he please, the Donation; not after. These Constitutions might easily have been taken into the Code before its Publication, according to what we now can judge; but the Truth is, there might be pressing Reasons not to stay so long, of which at this distance we are ignorant: So also we are not certain, but that many more might be made betwixt this and *August*; but yet we find a space of near four Months of Intermission, wherein the Emperour and his *Quæstor*, seem to have taken their ease as to this Affair. For the next we find in the Code, bears Date of the eighth before the Ides of *August*; yet being directed still to the same *Mennas*, we suspect other inscribed to him without Date might have been Composed in so much distance of time; but then as to the time we have no certainty.

Privileges granted to Souldiers not to extend to them, when at home.

How far the Alienations made by *Minors* shall be good.

L. ult. de Restitutionib. Militum, & eorum qui Reip. causa absunt. Cod. Just. lib. 2. tit. 51. Dat. 6. Id. Apr. Constp. Decio V. C. Conf. 529.

L. 17. de Testam. Militis, Cod. lib. 6. t. 21.

L. ult. §. Major factus Alienationem factam nec Decreto ratam habuerit, Cod. Just. lib. 5. tit. 74.

40. That Edict so much concerns the *Jus Privatum*, that we shall not meddle with it, for Reasons formerly given. We find on one day of the next Month, *viz.* the sixteenth of *September*, or the fifteenth before the Calends of *October*, eight several Constitutions bearing Date, as now they are in the Code, not directed to *Mennas*, but to *Demosthenes*. For *Mennas* being now out, *Demosthenes* came in for the remainder of the Year and that following, together with one *Atarbius*, as *Alamannus*

L. 20. de Collationib. Cod. Just. lib. 6. tit. 20.

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Justinian favours Legacies, and *Fideicommissa*.

Prohibits the base Children of Illustrious women, to succeed them in their Estates.

In Secret. Hist. p. 92.

L. 8. Qui Testamenta facere possunt vel non, Cod. Justiniani, lib. 6. tit. 22.

L. 1. Communia de Legatis, Cod. lib. 6. tit. 43.

L. 5. Cod. Just. lib. 6. tit. 57.

Et hanc legem ipsi pudicitiæ quam semper colendam fancimus, merito dedicamus.

41. He farther ordained, that such Infants as were exposed, should be taken and held for free and of ingenuous Condition, and as at this time he defined, what Children should be accounted ingratefull, upon that account, as that they might be dis-inherited, or loose part of the Inheritance; so a few days after, or on the twelfth before the Calends of *October*, he approved what the great Lawyer *Paulus* had written, that an Infant could not be styled ingratefull by the Mother, nor be repelled from the Mothers Inheritance. But whereas it was held, that out of hatred to the Husband, a Woman might dis-inherit her Son, he rejected it, and ordained that none should be burthened by the hatred of another Person; that an Infant could not be ingratefull, and therefore could not be dis-inherited, and if he were, might always have the benefit of the *Querela Inofficiosi Testamenti*. As for Posthumous Children, or those that were unborn at the death of their Parents, though he was of several minds herein; yet at last, he resolved that they could not be dis-inherited. For he forbad it to be done at all, without just Cause, and no just Cause could there be as to Posthumous Children. On the fifth before the Calends of *October*; he decreed that the same Person should not be both Assessour and Advocate, or be Assessour to two Magistrates. On the sixth before the Calends of *November*, he ordained that a Judicial Sentence of the Prince, should have the Force of a general Law. And on the third before the Calends, on the twenty ninth of *October*, he made several Constitutions which are said to have been recited seven times in the new Consistory of his Palace. Of one we shall take notice, which declares what things these are, which a Son as yet in the Paternal power, and not Emancipated, acquires to his Father.

An Infant not to be dis-inherited as ingratefull.

L. 3. de Infant. expositis, Cod. lib. 8. tit. 52.

L. 32. de Inoffic. Testam. Cod. lib. 3. tit. 28.

Nor a Posthumous Issue.

The same Person not to be Assessour and Advocate.

L. Ult. de Assessorib. Cod. lib. 1. tit. 51.

L. 6. de Bonis quæ, lib. Cod. lib. 6. tit. 61.

42. By the most ancient Law, whatsoever such a Son gained, he acquired it all for his Father, who had the full Propriety and Dominion of it. But by the Constitutions of the Emperours, Sons, if they were Souldiers, had the Privilege to acquire to their own Propriety and Dominion; what they got by the Service, or those things called *Bona Castrensia*, which by this example was also granted, to such as served the Commonwealth in a *Militia non Armata*, in such Goods as thence were called, *Bona quasi Castrensia*. But for Adventitious Goods of a Son in Power, they were still acquired to the Father. *Constantine* first excepted Goods coming by the Mother; and then other Emperours, such as came by Matrimony, or betrothing. All these Constitutions in favour of a Son *Justinian* approved; but whereas other Adventious Goods were acquired for the Father, he judged it a more just thing in the General, that the *Usufructus* of Adventious Goods should be granted to the Father, and the Propriety kept for the Son. As for those they called *Profecticia*, which proceeded from any thing, or cause of the Father to the Son, those he suffered to be acquired for the Father. But whereas he seemed to be so Indulgent to Sons in Paternal Power, as contrary to the old Laws, he gave them the Propriety of Adventitious Goods, though the *Usufructus* belonged to their Fathers, yet would not he suffer them, either, to make a Testament of them, or make any Alienation of them amongst the Living, or ingage them, without the Consent of their Fathers. Yet it seems very rational and consequent, that the one should follow the

What Sons not Emancipated, acquired for their Fathers and what not.

L. Ult. ejusd. tit.

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other; but he fearing he had done too much already, would doe no more, but left the old Law ſtill in Force. Or rather *Baldwin* is of Opinion, that if he had been moved about it, he would alſo have given this Liberty of making Wills; being otherwiſe ſo indulgent to Sons, that by his Novel Conſtitutions he would have certain Goods, beſides the *Caſtrenſia*, and *quaſi Caſtrenſia* in their full Propriety, without any *Uſusfructus* left to their Fathers, ſuch were Goods left to them with this Condition, that the Fathers ſhould not have the *Uſusfructus* of them, Goods that came from a Diviſion of a legitimate Inheritance, when the Son and Father were Co-heirs, and as ſuch the Son obtained by an unjuſt Divorce. As for Adventitious Goods, the Father was the Adminiſtratour, or Curatour of them at his own Charge, but not without the Son's Conſent, as neither could the Son act as to them without him. Although a Tutour and Curatour, had in General power to all without ſuch Conſent required.

Donations when not to be regiſtred.

43. Whereas it was formerly unlawfull to make any Deed of Gift, or Donation, above two hundred *Aurei*, except it was publickly Regiſtred, he being a Friend to liberality, permitted firſt three hundred, and afterwards five hundred to be given without ſuch publick Solemnity. But as to the Donations of the Prince, he would have them free, and exempt from all Law of Regiſtring whatſoever. And he was ſo Crafty that as he would have the Emperours Donation free from the Law of Inſinuation, ſo alſo ſuch Gifts of private Men, as were made to the Emperour. The following Year, was the fourth of *Juſtinian*, and marked with the Conſulſhip of *Lampadius* and *Oreſtes*, who were both Conſuls in the Weſt; *Juſtinian* little regarding this Honour it ſeems, and not caring whether at all, or on whom he beſtowed it. Amongſt ſeveral he made this Year; we ſhall firſt take notice that on the ſixteenth of *March* he abrogated a Law of *Honorius*, and *Theodoſius*, whereby it was ordained, that a Teſtament made ten Years before the Death of the Teſtatours ſhould be void. For he took it as an Argument, that the man would have it to continue in Force, becauſe he did not all this while revoke it. Indeed if he did revoke it by another Teſtament legally made it was void in Law, or if he revoked it by Word of Mouth, before three Witneſſes it ſhould ſtand revoked, if ten Years paſſed before the death of the Teſtatour, but not elſe; or he might in ſuch a Caſe revoke it at a publick Regiſtry, and the Revocation ſhould ſtand good, provided ten Years paſſed as is ſaid. Of the Laws of this Year, made and altered by him, we ſhall take no farther notice, being all of ſuch Concernment as relates to the *Jus Privatum*, which the Reader, if he pleaſe, may find in *Baldwin* his *Juſtinianus*, a learned Book as to the Matter, though much as to the Alteration of Laws, to them that do not practiſe them, not eaſie to be underſtood.

Vide Baldwinum qua ſupra.

l. 27. de Teſtam. Cod. lib. 6. tit. 23.

Juſtinian gives out a Mandate for compoſing the Digeſts.

But at the latter end of this Year, or the eighteenth before the Calends of the next, he gave out, that memorable Mandate for collecting of that Body of Law from the ancient Writers, which now we call the Pandects and Digeſts. For theſe Books were to receive, and into them were to be diſpoſed the ſubſtance of the Civil Law, from the Writings of the greateſt Profeſſours thereof, digeſted under ſeveral Heads.

Præfatio rinæ De conceptione Digeſtorum ad Tribonianum Præmiſſa Digeſtis.

44. His Mandate he directs to *Tribonian*, with the Title of his *Quæſtor*, in whom he wonderfully confided for this Affair, though not ſo happy as *Julius Cæſar* would have been in his *Sulpitius*, or *Hadrian* in his *Julianus* for ſuch an Attempt, in the Opinion of *Baldwin*. "After ſome Preface he tells him, that moved "with the Confuſion that was in the Law, he had already framed his Code, from "the Conſtitutions of former Princes rightly amended, and digeſted, and that "chiefly by his Miniſtery and overſight. That having had experience of his Dex- "terity in that Affair, he had committed to him alſo this preſent Deſign, of col- "lecting and amending an intire Body of *Roman* Law, and given him Power to "take to his Aſſiſtence, ſuch of the moſt eloquent Anteceſſours, and Advocates of "the Prefecture as he ſhould think fit, to bring them into his Palace for this pur- "poſe, and to give them Teſtimony, as to their fitneſs, to whom he had committed "the Work; yet ſo as all ſhould be managed by his moſt vigilant overſight. He "commands them then to reade and refine the Books of the ancient Lawyers, to "whom the Emperours had given Authority to write and interpret Laws, that "from them, all the Matter thereof might be collected, without any thing men- "tioned, that was either to the ſame purpoſe, or of diſagreeing Senſe, as much "as was poſſible, but ſo as that one ſaying ſhould ſuffice for all. When this was "done, with high-ſlown Words he declares, that it ought to be digeſted into fifty "Books, and under certain Titles, in imitation as well of the Conſtitution of his "own Code, as the *Edictum Perpetuum*, as they ſhould moſt conveniently doe it.

The purport of it.

That

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"That ſo nothing might be left out of the Collection, but in theſe fifty Books "ſhould be comprehended the whole ancient Law, which had lain confuſed for "almoſt a Thouſand five Hundred years, but now was purged by him, and fenced "as it were in its own Wall. Herein they ſhould obſerve an equal Authority in "all Authours of Laws without any Prerogative of Dignity. Becauſe all were "not certain in all, but either better or worſe, in certain and peculiar Points.

45. "But neither will he have them conclude, that to be moſt equal and juſt, "which moſt Authours ſay, becauſe perhaps the Opinion of but one, and "he inferiour, may be better. Therefore he will not have them preſently reject "what is alledged out of the Notes of *Æmilius Papinian*, by *Ulpian*, *Paulus* and "*Marcian*, for the honour of that moſt ſplendid Perſon. But if any thing they "meet with in them, which ſhould conſummate the Labour of ſo great a Wit, or "neceſſary for Interpretation, they ſhould not delay to put it down for Law; as "all other Opinions, which he confirms by his imperial Authority. He gives, "them in Charge as a thing to be ſtudiouſly obſerved, that if they find in ancient "Authours any thing not well placed, ſuperfluous or imperfect, without any Te- "diouſneſs they amend it, and produce the work, as conſummate to all purpoſes. "Yet ſhould they obſerve, that if they found any thing not rightly written in the "ancient Laws or Conſtitutions, put by the Ancients into their Books, they ſhould "reform, and ſo regulate it that it might ſeem to be true, the beſt, and that "as it were written from the beginning, which they made choice of and placed "there. And he declares that none dare by comparing the ancient Book, to repre- "hend their writing as vitious. For, whereas by the ancient Law called *Regia*, "all Right, and all Power of the People of *Rome*, was transferred into that of the "Emperour, and whereas he did not divide all Law, into ſuch and ſuch Parts of the "Lawmakers, but would have the whole to be his own, what could Antiquity "abrogate as to what he ordained? Nay he will have all ſuch Laws to be of that "Force, that though they were written otherwiſe by the Ancients, yet placed "now contrarywiſe in this Collection, no Fault ſhall be imputed to the writing, "but this ſhall be aſcribed to his choice. In Concluſion, he will have no *Antino-* "*mia* in any Members of this Collection; but one Concord, and one Conſequence, "without any thing ſaid to the contrary.

46. "But he again prohibits, that any thing like or to the ſame purpoſe, be in- "ſerted in this Work; as alſo that ſuch things as are ordained in the Conſtitutions "placed in his Code, ſhall again there be put from ancient Law, the Imperial Au- "thority of the Makers ſuffering for their Authority, except for the ſake of Di- "viſion, Repletion, or for fuller inquiry this happen; but this ſhall be very ſel- "dom done, leſt any knotty Controverſie thence ariſe. If any Laws had grown "obſolete, he will have them by no means to ſuit them in; his meaning being, "that onely ſuch things ſhould obtain, as were moſt frequently practiſed in Judi- "catories, or the long Cuſtome of that City had approved, according to what "*Salvius Julianus* wrote, that all Cities ought to follow the Cuſtome of *Rome*, "which is the Head of the World, and not obſerve the Cuſtome of other Cities. "Now, ſaith he, not onely the ancient *Rome* is to be underſtood, but our Royal "*Rome*, which by the Favour of God was founded with better *Auguria* or begin- "nings. He commands therefore, that by theſe two Books or Collections, all "matters be managed, the one of the Conſtitutions, and the other of the *Jus Enucleatum*, except he ſhould publiſh ſomething afterward, in way of Inſtitutions, that "the mind of the Student void of knowledge, being firſt inured to ſimple mat- "ters, might more eaſily be brought to a knowledge of greater prudence. Now "he declares and ordains, that this Elaborate work, which they by the help of "God ſhall compoſe, ſhall have the Name of Digeſts or Pandects That no "Lawyers for the future, ſhall dare to add any Commentaries to it, and by their "verboſity confound the Compendiouſneſs of the ſaid Books, as had been of old "practiſed, when almoſt the whole Law was diſturbed by the contrary Opinions "of Interpreters; it being enough by Indexes, and the ſubtilty of Titles (called "*Paratitha*) to make ſome Admonitories of it, ſo as no inconvenience ariſe by "their Interpretations. And that no doubt may afterward ariſe by writing, he "commands that this Book be not compoſed by the Captions of *Sigla*, and com- "pendious *Ænigmata*, which had introduced many *Antinomies*; although the num- "ber of the Books be ſignified, or any other thing; for he will not grant that the num- "bers ſhall be made by ſpecial *Sigla*, but explained by the conſequence of Letters. "Then he concludes with a ſerious Epilogue, and dates this Mandate in the eigh- "teenth before the Calends of *January*, *Lampadius* and *Oreſtes* being Conſuls, *A. D.* "DXXX.

47. In

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47. In obedience to this Mandate, *Tribonian*, *Baldwin* observes, took to him as Assistents *Theophilus* and *Cratinus* of *Constantinople*; *Dorotheus* and *Anatolius* of *Berytus* Anteceſſours of Law, and eleven Pleaders of Cauſes out of the *Forum* of the *Præfectus Prætorio* of the Eaſt. And he wiſhes he had joyned to them *Julianus* a Conſul of thoſe times, and a Patritian of *Conſtantinople*, whom *Priſcian* teſtifies to have exceeded almoſt all the Ancients both Greek and Latine in every ſort of Learning. And he adds, it had been well, had he alſo employed *Priſcian* who lived at this time at *Conſtantinople*, a Grammarian indeed, but ſuch a Grammarian as excelled in the skill of *Roman* Literature and Antiquities, one who diligently peruſed the Monuments of the ancient Lawyers, and underſtood the learned way both of ſpeaking and writing. Many Books *Juſtinian* confeſſeth to have been brought by *Tribonian* to the management of this Affair, which otherwiſe were then unknown, and that two thouſand Books containing three hundred myriads of Verſes were to be peruſed. He talks of fifteen hundred years wherein the *Roman* Law till his time had lain confuſed, whereas his own Reign began but in the MCCLXXX of the City, as ſome obſerve, and *Baldwin* cryes out, that three hundred years were ſcarcely to be reckoned, for that Law which was reduced into the Pandects, and tartly makes an obſervation, how little and dark the memory of *Roman* matters was in thoſe times. But however, ſaith he, the reveiw of all *Roman* Law from the beginning of the City, and of all Antiquities is committed to a few *Græculi*; and others will have it, that the Envy of theſe *Græculi* brought more damage to the *Roman* Glory and Law, than the Burnings and Deſolations procured by the *Goths*. To be ſure it was a work of ſuch Labour and Judgment as is not expreſſible, to cut down materials out of ſo vaſt a wood, and to ſelect out of ſo many vaſt Volumes, ſtuff for erecting of ſuch a ſtructure: Not onely the words and matter, but even the writing it ſelf muſt bring with it much difficulty. But he requires that no *Sigla* be uſed in the Text, which had brought in great Inconvenience. By *Sigla* he means *Sigilla*, or ſmall Notes or Marks when whole Names and words were noted by the firſt Letters. Theſe Notes had been formerly diſowned in ordinary Teſtaments, though in thoſe of Souldiers they were permitted. Indeed if a thing was to be kept obſcure, it was convenient to have it written in them, and in ſuch manner *Auguſtus* commanded the *Sibylline* Books to be written by the hand of the Prieſts, with obſcure Notes, that ſo they alone might reade them. But *Juſtinian* had a deſign of another nature.

Defects observed by *Baldwin*.

Vide Notas ad Præfat. prim.

48. Which Deſign did not yet fully take, though it was very good and profitable, becauſe the Interpretation of thoſe Notes was very difficult. Therefore *Tribonian* and his Companions, eſpecially in ſuch haſte, might well be miſtaken. Sometimes they were prone not to expound them, their meaning being for the moſt part ambiguous, otherwhiles to take Notes for Letters and Letters for Notes, which the old Tranſcribers of Books much confounded to the great vexation of Readers. But the end propoſed by *Juſtinian* in waving theſe Notes, is to ſhun an *Antinomia*, by which the Ancients meant the Repugnancy of two Laws rather by accident than Nature, as when two *Theſes* differed in one *Hypotheſis*, which often happeneth; but he means by it a contrariety and conflict of Laws in their very Nature. This *Antonomia* of his meaning was very difficult to avoid in a work of ſo vaſt a Bulk, ſo great diſſents of the Ancients, and ſuch variety of Opinions and Controverſies, with which thoſe Books abounded, out of which the Pandects were to be Compoſed, there being not onely diverſity of Opinion in private men, but two Sects and Families of diſſenting Lawyers as the *Sabiniani* and *Proculi*. There wanted a man of more ſolid Judgment than poſſibly *Tribonian* was, to weigh duly and determine thoſe great differences and various opinions met with by theſe Undertakers, who being many in number brought each as they had Collected, their ſeveral parts or ſhares which were all ſewed up together, ſo as one knew not what part the other had taken, in the choice of his Collections.

49. Another thing he charges them with, is not to inſert any obſolete Laws, which *Baldwin* thinks they did better not to obey him. For moſt of the ancient Law was in his time grown obſolete. Thoſe Cuſtoms of the ancient *Roman Forum* vaſtly differed from his. Not onely the Seat, but the form and face of the Empire was changed; the Religion, Juriſdiction, Manners, and in concluſion, the Commonwealth it ſelf was different. Not many *Roman* Antiquities had been inſerted into thoſe Pandects, if nothing had been therein comprized, but what obtained in the time of *Juſtinian*. It's farther to be noted as ill, that ſome things of the *Roman* Superſtition are left therein which the Chriſtian Religion abſolutely abhors. Which is to be attributed to the careleſneſs of the Compilers, and could not be confirmed by

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by *Juſtinian*. Memorable is that other branch of this Mandate, whereby he orders them to accommodate what they tranſcribe to the Manners and Cuſtoms of their own Times, and upon that account, to change and transform the Writings of the Ancients, to add and take away what they ſhould think convenient. Now in Compoſing the *Edictum Perpetuum*, three or four alterations are inſtanced to have been made by *Julianus* the Compiler. But they that made the Pandects more audaciouſly interpolated as they thought fit, and as they were conſtrained to doe it, to accommodate the Laws to their own times. But they leave no mark of diſtinction what was old and what was theirs, and he commanded the Inſcription to be put as if nothing had been altered. But in this as the preceding part of the Mandate, ſometimes *Tribonian* obeyed his order, and ſometimes not, which makes the matter more in the dark, and if it be not diſtinguiſhed what is *Ulpian's*, and what is *Tribonian's*, great Inconvenience muſt come of it.

The Digeſts to follow the order of the *Edictum Perpetuum*, how they do it.

50. In the laſt place, he commands that the Pandects ſhould be Compoſed in the ſame method as the *Edictum Perpetuum Hermogenianum*, when he Compoſed his Books of Epitomies, he pretended alſo to follow the order of the Edict; yet added thereto many other Titles. For whereas the Law reſpects either Perſons, Things, or Actions, and *Edictum Perpetuum* onely handled Actions, there ſeemed need to add ſome Chapters concerning the other two. This Example *Juſtinian* followed. The firſt part of the Edict was inſcribed τὰ πρῶτα, or the Firſt, the ſecond was *De Judiciis*, and the third *De Rebus*, which Inſcriptions he gives to the parts of his Pandects. What in the *Edictum Perpetuum* was briefly expreſſed, he would have more largely explained, but yet not ſo largely as the Interpreters of the Edict, *Paulus* and *Ulpian* had done before. Theſe things he expreſſeth in his firſt Preface before his Digeſts, and in thoſe that follow, which being two other in number, are by us to be conſidered at their proper time, and not altogether. But to ſpeak in relation to theſe as they bear it one to another, the Mandate for making the Digeſts was dated on the eighteenth before the Calends of *January*, in the Conſulſhip of *Lampadius* and *Oreſtes*. And how much time did theſe Collectours now take to themſelves? *Baldwin* thinks that if the *Decemviri* took a whole year for Compoſing the ten Tables, and another for adding the other two, thoſe ſixteen men might well have required twenty for Collecting and digeſting of the Pandects. And it might have been wiſhed they had done it, the nature of the work requiring it.

How ſmall a time was taken in compiling them.

51. But they ſpent not therein the ſpace of three years. For *Juſtinian* confeſſes, that in three years three Volumes of the *Roman* Law were compiled, *viz.* The Code, Digeſts and Inſtitutions, whereas it was thought they could not be finiſhed in ten years time. Now the Code was publiſhed long before the Pandects were begun, on the Ides of *April*, in the Conſulſhip of *Decius*. In the following year *Lampadius* and *Oreſtes* were Conſuls, and not long before the end of the year he firſt commanded the Pandects to be compoſed, and after their compoſition, ſome time was required to his reading and conſidering of them, which he affirms. Now they were publiſhed and confirmed on the ſeventeenth of the Calends of *January*, in the third Conſulſhip of *Juſtinian*, which was but three years after the Mandate for their compoſing. And in the month of *November* before them, were publiſhed the Inſtitutions, the third Volume he meaneth. The thing it ſelf indeed ſufficiently declareth that there was too little time taken for collecting and reviſing ſuch Volumes. It was a matter of greater conſequence than to be ſo hudled over, eſpecially a perpetual Standard of Law, being to be delivered to Poſterity, which now complains, as *Baldwin* makes it ſpeak extravagantly, that not ſo much Laws as Croſſes or Difficulties are left unto it. But ſo it was: On the ſeventeenth before the Calends of *January*, he directed an Edict inſcribed with glorious Titles, under the name of *Cæſar*, *Flavius*, *Juſtinianus*, and with Additions from People as it were Conquered by him, though he had never fought with them, or had no cauſe to boaſt of Conqueſt, as ſome of them by way of capitulation afterward affirmed. But he ſtiles himſelf as having ſubdued the *Alamans*, *Alamanicus*, and ſo for like reaſons *Gothicus*, *Francicus*, *Germanicus*, *Anticus*, *Alanicus*, *Vandalicus*, *Africanus*. How far theſe Additions might be truly aſſumed by him appears by his Hiſtory. To them he adds the uſual Epithetes of *Pius*, *Felix*, *Inclytus*, *Victor* and *Triumphator*, *ſemper Auguſtus*, and directs his writing to *Theophilus*, *Dorotheus*, *Theodorus*, *Iſidorus*, *Anatolius*, *Thalleleus* and *Gratinus*, Illuſtrious Anteceſſours. As alſo to *Gulamius* the moſt Eloquent Anteceſſour.

52. "In the Edict he firſt declares all the Law of the Commonwealth, now to "be purged and compiled, *viz.* in the four Books of Inſtitutions or Elements; in "the

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He prescribes Rules for teaching of Law by an Edict.

" the fifty of Digests or Pandects, as in the twelve of Imperial Constitutions. That *Præfatio ſcrutinia Digeſtorum.*
" he had also by his Edicts both in the Greek and Latine Tongue declared what was
" convenient thereupon. But now he had thought fit to direct another Discourse
" to them, for the information of them, as well as other Antecessours, what Rules
" he would have observed, for the most commodious Institution of Students in this
" Science or Mystery. He makes it utterly out of doubt, that it is necessary first
" to reade the Institutions, and those that deliver the first rudiments of the Science. *Ad titulum ff. de bonorum poſſeſſ.*
" Of the fifty Books of Digests, he judges thirty and six onely to suffice for their
" Exposition, and the Instruction of Youth. He puts them in mind, that formerly
" from out of such a multitude of Laws, as made up two thousand Books, and
" thirty hundred thousand Verses, Students onely were instructed in six Books,
" and those confused and containing but few profitable Laws, the other being now
" out of use, and not to be come by. In these six Books were the Institutions of

Anciently what was wont to be read the first year.

" *Gaius*, and four singular Books. The first treated of the ancient way of Marria-
" ges, the second of Tutorships, and the third and fourth of Testaments and Lega-
" cies, and these not in order, but passing by many parts. This was the Task
" of Students of the first year, not according to the method of the *Edictum Perpe-*
" *tuum*, but out of order and without choice. In the second year after a preposte-

What the second.

" rous manner, the first part of the Law was delivered to them, some certain
" Titles being taken from it. After a course of Study made up by parcels, and
" unprofitable in great measure, other Titles were delivered to them as well out
" of that part intituled *De Judiciis* by piecemeal, as out of the other *De Rebus*,
" which had not been delivered in the second out of both Volumes, *viz. De Rebus*
" and *De Judiciis*, they received according to the vicissitude of them; and a way

What the third.

" was opened to them to the most sublime *Papinian* and his Answers. Of the
" nineteen Books of these Answers they received onely eight; neither was the
" whole Body of them delivered to them, but a few out of many things, and most
" brief out of most large, so as they might go away from them with a thirst. These
" things above being delivered by Professours, the Answers of *Paulus* they read by
" themselves, and them not all, but in an imperfect and inconsequent course after
" a kind of ill Custome. Hence they passed into the fourth year, and therewith
" made an end of their Study; so that upon Count, one might find that out of so

How they ended.

" immense a multitude of Laws, they read scarcely sixty thousand Verses, all the
" rest being impassable to them and unknown, and then not to be made use of but
" in the least part, as often either as the practice in the Judicatories required it, or
" they the Masters of the faculty hasted to read something out of them, to have
" more advantage in the skill of their Scholars. Such he saith had been the monu-
" ments of the ancient Learning, for which he appeals to their Testimony.

53. " And finding such a penury of Laws, as also judging it a most miserable
" Case, he is resolved to open the Treasures of that Science, to such as are willing
" to receive them, being prepared in some measure by the skill of those to whom
" he directs this Letter, that they may become most able Oratours in the Faculty.
" In the first year he will have them fully skilled in his Institutions, which had been

What he will now have taught the first year.

" consummated out of the Bodies of almost all others that had been before them,
" and from all impure Fountains drained into one clear Receptacle by *Tribonian*
" the *Vir Magnificus*, *Exquæstor* of his sacred Palace, and Exconsul, and two of their
" number to whom he writes, *viz. Theophilus* and *Dorotheus* most Eloquent Ante-
" cessours. For the remainder of the year, he ordains that Students have the for-
" mer part of the Laws delivered to them, which by the Greeks was called πρῶτα,
" which should finish, as the other begin, their Studies for the first year. Such as
" had been Auditours for this year, should not be called by the wonted name, as well
" frivolous as ridiculous, of *Dupondii*; but *New Justinians*, which he thinks fit to *Dupondium dea drachmæ Dupondii ergo duarum quaſi drachmarum ſtudioſi, i.e. aſſiduſſimi & exactiſſimi preſſi.*
" ordain for all time to come, as beseeming the Reformation of Laws he had made,
" the first Volume of which was to be put into their Hands. In the second year,
" during which they should bear the Name formerly imposed by Edict, he will
" have them study either seven Books *De Judiciis*, (from the fifth to the eleventh,)
" or eight *De Rebus* (from the twelfth to the nineteenth,) as the vicissitude of time
" shall indulge them, which he will have preserved inviolable, and without skip-
" ping or omitting any thing in the said Books, which now were all graced with
" new beauty, nothing unprofitable, or what was out of use, being to be found in

What the second.

" them. To either of the foresaid Volumes he will have added, to be taught in this
" second year the four *Libri singulares*, which he saith he had collected out of the
" whole composition of fourteen Books, *viz.* one out of three Volumes which he
" had

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" had composed *De Dotibus*; one out of two which treated *De Tutelis & Curatio-*
" *nibus*; one from two others concerning Testaments; and from seven Books han-
" dling the matters of *Legata* and *Fideicommissa*; also one of those four Books pla-
" ced at the beginning of the aforesaid compositions, he tells these Masters that
" he would have onely taught by them, the other ten being reserved to a conveni-
" ent time, it being impossible that in the space of the second year, these fourteen
" Books should be read by them, and degested by their Scholars.

What the third,

54. " In the third year, whether it happens that they reade the Books *De Judiciis*
" or *De Rebus*, with them he will have to concur the Tripartite Disposition of the
" *Leges singulares*, and in the first place that concerning *Hypothecæ*, because being
" so near a-kin to Actions concerning Pledges, they may be joyned near together.
" After this he would have another added concerning the Edict of the *Ædiles*, and
" the Action called *Actio Redhibitoria*, concerning Evictions and the stipulation of
" Double, composed by him, because they are near a-kin to the Doctrine of Sales,
" treated of in the former Edict. Those three Books he will have joyned with the
" reading of the most acute *Papinian* Students, being wont to reade them in their
" third year, but not intirely, but a few scraps taken out of them. And he again
" recommends *Papinian* to be read by himself, of whom he saith excellent use was
" made in the Composition of his Digests, not onely from his Answers which were
" divided into nineteen Books, but also from his seven and thirty Books of Questi-
" ons, his double work of Definitions, as also concerning Adulteries, and from all
" his writings almost. And lest the Students or Auditours of the third year whom
" they called *Papinianistæ*, should seem to lose his Name and Festivity, he is again
" introduced into the third year by a most brave device, for *Justinian* had com-
" posed his Book of Hypothecary Actions, out of the writings of the said *Papinian*,
" that both they may have a Name from him, and be called *Papinianistæ*, may re-
" joyce at the memory of him, and may observe that Festival day, which they
" were wont to keep when first they took his Laws into their Hands, and that by
" this means the memory of that most sublime *Præfectus Prætorio* may continue
" for ever. With this the Audience of the third year should be concluded.

What the fourth,

55 " And because the Students of the fourth year were wont by a Greek word
" to be called *Lyti*, he will have them if they think fit still to enjoy it. But in-
" stead of the Answers of the most prudent *Paulus*, which they read confusedly,
" having reduced them from twenty three scarcely to eighteen, they should study
" the ten *Libri singulares*, which remained of the fourteen lately mentioned by him,
" out of which they should draw he affirms greater Treasures of skill, than out of
" *Paulus* his Answers. If so be they well improved their time in these things,
" and in the fifth year wherein they were named *Prolytæ*, both read and subtilly
" endeavoured to understand the Code of Constitutions, nothing would be wanting
" to them of just and fit knowledge, and this Service of theirs would obtain a won-
" derfull Accomplishment, which scarcely happened in any other though the mea-
" nest Art. He ordains then that these Scholars of theirs (*Discipuli*,) shall have all
" secresie opened to them, and nothing hid, but all being throughly read and made
" known to them, which had been compiled for him through the Service of *Tribo-*
" *nian* and others, they might be found to be the greatest Oratours, and the *Satel-*
" *lites* of Justice, the best Champions of Equity, and most happy Governours in
" every Place and Age. Now these three Volumes of his Composing, he will have
" delivered to Students in the two Royal Cities (of *Rome* and *Constantinople*,) and in

And where.

" the most beautifull City of *Berytus*, (which justly might be termed the Nurse of
" the Laws,) and in them onely, as had been formerly ordained by Princes, not in
" other places which had not obtained such privilege of old. For he had heard that
" in the most splendid City of *Alexandria*, in *Cæsarea* and other places, some un-
" skilfull men wandered about, and delivered adulterate Doctrine to their Disciples,
" whom now by threatning he repells from such their Endeavours; and if they
" shall dare for the future to doe any such thing in any such places, he punisheth
" them with a fine of ten pounds of Gold, and orders that they be cast out of that
" City in which they do not Teach, but offend against the Laws. After this he
" prohibits the *Sigla*, formerly mentioned under pein of paying to the owner dou-
" ble of the price if he know nothing of the thing; and if he will have such a Book it
" shall signify nothing, and no Judge shall allow any Pleadings, or Quotations to
" be made out of it. Then he severely forbids all Students of the Laws, both at
" *Constantinople* and *Berytus*, to act any Plays wherein the Antecessours or Novices
" are reflected on, it behoving, he saith, first their Souls and then their Tongues to be
" learned. The Power and Care of observing these matters, and punishing both

i. e. Solvendis Juris quæſtionibus idonei.

i. e. Lytis diſſipatores vel ex præfinita lege ſtudiorum ſoluti, vel qui poſſunt Juris nodos & legum ænigmata ſolvere.

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To whom he commits the care.

'Booksellers and Students, he commits in *Constantinople* to the High Prefect there-
'of; in *Berytus* both the *clarissimus Præses* of Maritime *Phœnicia*, the most blessed
'(*beatissimus*) Bishop of the said City, and the Professours of the Laws. He concludes
'with this Exhortation: Begin then to deliver to them, with God's Government,
'the Doctrine of the Laws, and to open to them the way which we have found out.
'That so they may become most excellent Ministers of Justice, and the Common-
'wealth, and the Teachers may be most highly honoured in all Ages. For that in
'their time such a change of Laws was found out, as in *Homer*, the Father of all ver-
'tue, *Glaucus* and *Diomedes*, make betwixt themselves, changing things very unlike,
'for which he quotes a verse out of that ancient Poet. These things he will have of
'force in all Ages, both of Professours, Students, Booksellers and Judges, to be ob-
'served. Dated on the seventeenth before the Calends of *January*, Our Lord *Justi-*
'*nian*, perpetual *Augustus*, the third time being Consul. *A. D.* DXXXIII.

Χρύσεια χαλκείων ἀμείβετο πάντα ἑκατόμβοι Βάλε δ' ἐκ κεφαλῆς. *Aurea ærei commutat pretia Jovis. Iliad. 6.*

On the same day he directs two other Edicts to the Grand Senate.

56. On the same day we find two other Prefaces or Speeches dated, one where-
of is directed to the Senate, and all People, in Latin, and the other in Greek is in-
scribed also by *Contius* to the Great Senate. 'Herein he signifies, that he had com-
'posed the *Persian* War, as also that of the *Vandals*, which Nation he had subdued,
'and rejoined *Carthage*, and all *Libya*, to the *Roman* Empire; and then magnifying
'what he had also done about the Laws, gives an whole account of the several
'Works he had ordered to be compiled, declaring what their particular Parts and
'Books were, and of what Subjects, as also whence they were taken, suitably to
'what hath been already related. And he calls upon the Fathers of the Senate,
'and all the Men of the World, to give Thanks to God for reserving so great a Be-
'nefit for their times. He declares he will have his Volumes of Institutions, or
'Elements, of Digests or Pandects, to be of force, from his third Consulship of the
'present twelfth Indiction, the third before the Calends of *January*, together with
'his Constitutions in all Ages. Which third Consulship, he saith, by the help of
'Christ, had been most happy, in respect that the *Parthian* Wars were ended, a
'perpetual peace was made, and a third part of the World added to his Dominion.
'For, after *Europe*, both *Asia*, and all *Libya*, was joined to his Empire, and a con-
'clusion was put to so great a work of the Laws; all which heavenly Gifts were
'indulged to his third Consulship. In conclusion, he commands all Judges to re-
'ceive these his Laws within their Jurisdictions: And especially he ordains, that
'the Prefect of *Constantinople* observe them. The three *Præfecti Prætorio* of the
'*East*, *Illyricum* and *Libya*, he requires to take care to make them known to all
'that were within their several Districts.

His Preface to his Institutions.

57. We mentioned the Institutions (that we may now speak of them altogether)
their being published in the month of *November*: Before the Book we find a Pre-
face, directed by *Justinian*, with the usual swelling Titles, to the Youth that had
a desire to understand the Laws. He begins with telling them, 'That the Impe-
'rial Majesty ought not onely to be adorned with Arms, but also armed with
'Laws, that so the Government may be fit both in times of War and Peace,
'and the *Roman* Prince may not onely be Victour in Battels fought with Enemies,
'but also by legal Proceedings, expell the Iniquities of Delinquents, and may as
'well be most religious in Laws, as magnificently triumphant in the Conquest of
'Enemies. Both these Courses, he saith, he had run, and that to perfection,
'through his great Watches and Forecast, by the help of God. His sweat and toil
'in Wars the Barbarous Nations, brought under his Yoke, sufficiently knew; and
'as well *Africk*, as other innumerable Provinces, after such spaces of time, being
'again added to the *Roman* Dominions, and his Empire, did protest. All People
'now are governed by Laws promulgated and composed by him. After he had
'put into due order, and made to agree, the most sacred Constitutions, which be-
'fore were confused, he extended his care to the immense volumes of ancient
'Prudence, and had by heavenly favour, travelling, as it were, through the mid-
'dle of the Deep, brought a desperate work to conclusion. This being, by God's
'favour, perfected, he called to him the Magnifick *Tribonian*, *Magister*, and *Ex-*
'*quæstor* of his sacred Palace, together with the illustrious *Theophilus* and *Dorothe-*
'*us*, Antecessours, (the notable wit of whom, together with their knowledge of
'the Laws, and fidelity in observing his Commands, he had had experience of in
'many respects) and had specially commanded them, by his Authority, and at his
'Instance, to compose Institutions.

58. 'Hereby they, (the Youth) he saith, may learn the first Rudiments of the
'Laws, not from ancient Fables, but, as he words it, fetch them from Imperial
'splendour; and their Ears and Minds may receive no unprofitable nor idle thing,
'but

'but what lies in the very Arguments of things themselves. And what happened Sect. 2.
'to them that were before them scarcely after four years, *viz.* to reade the Imperial
'Constitutions, they may now enter upon at the very beginning, being worthy of
'such Honour, and found in such Felicity, that both the beginning and end of the
'Laws to them should proceed from Imperial voice. Therefore after fifty Books
'of Digests, or Pandects, (which were compiled indeed, but as yet not published,)
'wherein all ancient Law was collected, and which he had dispatched by the in-
'deavours of the said High *Tribonian*, and the Illustrious Persons, he had comman-
'ded the same Institutions to be divided into four parts, that they might be the
'first Elements of the Mystery of the Laws. In them, he saith, was briefly decla-
'red, both what formerly obtained, and what was grown out of use, and rendred
'obscure, was illuminated by an Imperial Remedy. Which Books being compiled
'out of all the Institutions of the Ancients, and especially out of the Commenta-
'ries of his *Caius*, as well of his Institutions, as daily occurrences, besides many
'other Commentaries, had been presented to him by the aforesaid three prudent
'Persons, and having read and considered of them, he had accommodated to them
'the most full force and strength of his Constitutions. He concludes thus: Re-
'ceive therefore these our Laws with all Industry and Charity; and shew your
'selves learned therein, so as fair hope may cherish you, that after the whole work
'(of study) is completed, our Commonwealth may be committed to your Trust
'and Government in the several parts thereof. Given at *Constantinople* the Eleventh
'before the Calends of *December*, Our Lord *Justinian* Father of his Countrey, *Au-*
'*gustus*, the third time being Consul.

He still goes on with new Laws.

59. Such is the Account (though in an Asiatick, rude and difficult style to be in-
terpreted,) we have from *Justinian* himself concerning the composing of his Digests
and Institutions, about which, while he and his Compilers busied themselves, they
were not otherwise idle, as to such matters, but continued the former course of dai-
ly adding new Laws. Of these the Reader, if he please, may consult *Baldwin*, and
we shall touch at some of them as they best serve our purpose. He was continu-
ally consulted, in some point or other, by the Judges or Advocates of the Provin-
ces, as particularly in the beginning of the year that came next after the Consul-
ship of *Lampadius* and *Orestes*, by the Advocates of *Cæsarea* in *Palestine*, about a

De Jure Novo lib. 3.

Takes away the Difference betwixt a *Legatum* and *Fideicommissum*.

matter not fit for our relating. In *February*, on the tenth before the Calends of
March, he took away the difference which formerly had been manifold, betwixt a
Legatum and a *Fideicommissum*, and whereas formerly there was some agreement
betwixt them, he now commands that it be perpetual. Hereby the Law of *Fidei-*
commissa, which began in time of *Augustus*, was perfected by him; and that of Le-
gacies, which had been ancient, but narrow, was much amplified. Formerly the dif-
ference betwixt a *Legatum* and a *Fideicommissum*, was this: A *Legatum* was expressed
by Imperative words, and *Fideicommissa* by Precative. Imperative wereaccounted Di-
rect and Civil, as *Do*, *Lego*, *Capito*, *Sumito*, *Hæres esto*. Precative were such as
these, *Rogo*, *Peto*, *Volo*, *Mando*, *Cupio*. Formerly he had taken away the old forms of

L. Communia de legatis, Cod. lib. 6. tit. 43.

Where the Difference formerly lay.

Words in Legacies; now he will have no difference to be made betwixt the form of
a *Legatum* and a *Fideicommissum*, and he ordains, that there with whatsoever signi-
ficant word expressing the Will and Pleasure of the Testatour, a thing is left, it shall
be valid, whether it be in Imperative or Precative words; and he adds, that it shall
be the same if the Testatour use an Obsecration, which, because he invoked Al-
mighty God, is termed an Oath, and was upon such occasions wont to be used
by the *Romans*, being called otherwise from the Greek word, *exorcising*, which was Ἐξορκισμὸς,
a term used also by Christians in those times.

60. The summ of the whole Difference betwixt a *Legatum* and *Fideicommissum* lay
in this, that in the latter onely the Will and Pleasure of the Testatour was regarded,
but in the former subtilty of Law, for that the *Legatum* proceeded from the Law
of the Twelve Tables, as did the Testament, and the *Fideicommissum* was recei-
ved *ex æquo & bono*. A *Fideicommissum* might formerly be left by nodding or
signs, in the Greek Tongue, which a *Legatum* could not be; nay in the Punick or
Gallicane, which, by this Law of *Justinian*, must be interpreted to be extended to
the *Legatum*, which in like manner might be left by one dying intestate, and by
the posthumous Son of a Brother; and by a Legatary both a *Legatum* and a *Fidei-*
commissum might be left, though formerly a *Legatum* could not. Both before the
Institution of an Heir, and after the death of an Heir, or Executour, both might
now also be left, though formerly a *Legatum* could not. And whereas a *Fidei-*
commissum could not be sued for in form, but by extraordinary cognizance, *Justi-*
nian would not onely have it recoverable by ordinary Action, but also as in case of

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Legata, granted all three Actions, *viz.* Real, Personal and the Hypothecarian. But so great a Friend *Justinian* was to liberty, in making Testaments, that he also made free from restraint of words the manner of disinheriting, a matter wherein good caution seemed to be requisite, as being averse to the course of Nature. On the same day he decreed, that if any one disinherited his Son in these words, *Let that Son of mine be a stranger to my Substance*, he should be esteemed not past by (in which case he might have relief,) but disinherited. He gives this as a Reason or Advice: *When the sense of the Testatour is most manifest, never let the Interpretation of words so much prevail, that it be better than sense, or meaning it self.*

He gives full scope of words in disinheriting.

L. 3. De liberis præteritis vel exheredatis, Cod. lib. 6. tit. 28.

61. This year was indeed fruitfull of Laws made for regulating the ancient *Jurisprudentia*, and especially the month of *April*, which would furnish us with store, but not proper for an History, which being written in the English Tongue, and for the English, it is most proper to make choice onely of such Constitutions as, with the discovery of the Legislatour's design of altering the Law, may best suit with the Knowledge, Customs and Genius of our Nation. There had been formerly a mighty contention, not onely betwixt the old Lawyers, but Princes themselves, in their Edicts, concerning the Efficacy and Force of a disjunctive word, and this difference on the last day of the month, if he did not decide, he resolved to remove, cut and take quite away. Sometimes it was written, *He, or he, be mine Heir; To him, or him, I give, bequeath, or I will have given; Him, or him, I will, or command, be, or to be, a Tutour.* It was controverted whether such Institution, Legacy or Assignment of a Tutour was good. Whether should be understood to be meant, the former, or the latter; or whether he who had Possession should be thought to have the best right. So many and so various Opinions were held about this matter, that *Justinian* saith, *No small Book might have been filled in the bare reciting of them.* He therefore thought fit to end the Controversie by determining, that *Aut*, in this Case, should be taken for *Et*, the disjunctive be received as a conjunctive, so as both should be Heirs, or Legataries, in equal shares, as if it had been written, *He* and *He*. *Paulus* indeed, the Lawyer, speaks in the Pandects of Disjunctives and Conjunctives, that they are after put one sort for the other. And it may be so; but however this Decision of *Justinian* was new and extraordinary, and seemed to some not to agree fully with the mind and meaning of a Testatour. But in a dubious and perplex Case he followed what he thought most equal, and chose rather to give to both, than all to one, and nothing to the other. In this partition betwixt them he judged less inconvenience and hardness to lie.

Ille aut ille mihi hæres esto. Ille aut ille do, lego, vel dari volo, vel illum aut illum Libertum aut tutorem esse volo.

L. 4. De verborum & Rerum significatione, Cod. lib. 6. tit. 38.

He ordains that a disjunctive word shall be taken for a conjunctive.

62. He began the month of *September* of this Year by correcting, as he saith, a very great fault of the ancient Subtilty, as to Law. This Subtilty, he tells us, thought fit that there should be one sort of Law for Males to succeed their Parents by Testament, and another sort of Law for Women, though in succession to those that died intestate, there lay one common and equal Right to both Sexes. Of old they held and ordained, that with one sort of words a Male, and with others a Female should be disinherited. In reference to the disinheriting of Grandsons, sometimes they introduced the Civil, and sometimes the Pretorian Law. And if a Son was disinherited, *ipso jure*, he either nulled the Testament, or was admitted to the whole possession of the Estate, contrary to the Will; but if a Daughter was past by, she had the *Jus accrescendi*, and did not break the Testament, by which she did in part, as it were, break her Father's Will in the same moment, and as if she had been mentioned therein, was placed after Legataries, yet, by the Pretorian Law, she had an intire possession of the Estate, contrary to the Testament. Now a Constitution of the great *Antoninus* did in so much hinder and straiten the Daughter, as she had advantage by the *Jus accrescendi*. But these Law-makers *Justinian* accuseth, as Accusers of Nature her self, in that she did not make all Males, and none of which they should be begotten. Now he pretends to follow the example of the more ancient *Romans* in correcting this Errour. For he saith Sons and Daughters, and all others, were disinherited alike, till the *Centumviri* (who were Judges in Testamentary and Hereditary matters) brought in the difference, whereby it came to pass, that a Daughter that was passed by had less than a Daughter that was disinherited. He determines therefore, that a Daughter shall have no less right than a Son, either to break the Testament, or to sue for the Possession of the Estate against the Will. He also will have posthumous Daughters to be disinherited, as if they were Males, and no otherwise, that they may not be esteemed as passed by. And what he ordains concerning Daughters, he will also have extended to Nephews and Neeces by a Son.

L. 4. De liberis præteritis, Cod. lib. 6. tit. 28.

He makes Daughters equal with Sons as to Testaments.

63. But it is observable, that on the first day of *November* of this Year, he delivered the Law and Lawyers of much trouble, by taking away the ancient Ceremonies

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He takes away the ancient Ceremonies about Adoptions.

monies about Adoptions. Here it will be convenient, from *A. Gellius*, to inform the Reader what the ancient Rites and Differences of this thing were, in old times observed. 'When Strangers, saith he, are taken into another family, and into the 'place of Children, it's either done by the *Prætor*, or by the People. That which 'is performed by the *Prætor* is called Adoption, that which by the People, Arro- 'gation. They are adopted, who by the Parent, in whose power they are at pre- 'sent, are by three Mancipations, or Sales, parted with, and by him who adopts 'them are challenged, and recovered before him, in whose Court lies the Action at 'Law. Such are arrogated, who not being in any paternal, but their own power, 'and at liberty, voluntarily give up themselves into that of another man, and are 'authours of this change themselves. But these Arrogations are not lightly, nor 'without scrutiny, celebrated. The *Curiata Comitia* are not granted, though the 'Pontifices preside. And it is considered whether the Age of the Person that arro- 'gates be not fit and proper it self to beget Children, and whether the Estate of 'him who is arrogated be not aimed at, and treacherously designed. Moreover it's 'said, that an Oath was conceived by *Q. Mutius*, then *Pontifex maximus*, to be 'taken in Arrogation. But one cannot be arrogated that's under a *Vesiceps*, (so 'he calls him) or one who takes his virile Gown. Now because this sort called Ar- 'rogation, whereby one passed into another family, was performed *per Rogationem 'Populi*, or asking leave of the People; the words of it were these: *Please you to 'will, or command, that* L. Valerius (for example) *shall become Son to* L. Titius, *as 'well in Law, and Right, as if he had been begotten by that Father and the Mother 'of the Family; and that he may have Power of Life and Death over him, as over 'a Son born. So as I have said, so I desire of you*, Quirites. But neither a Pupil, 'nor a Woman, can be arrogated, though she be in the power of her Parent; for 'the *Comitia* meddle not with Women; and for Tutours, it is unlawfull for them 'to have so much Authority and Power over their Pupils, as to subject a free 'Person, committed to their Trust, to the Power of a Stranger. Now *Massurius 'Sabinus* hath written, that *Libertini* might be adopted by Persons of ingenuous 'or absolutely free condition in strictness of Law; but he saith it is not permitted, 'neither doth he think it ought ever to be, that those of the state and quality one- 'ly of *Libertini*, should invade the Right of *Ingenui* by the way of Adoption. 'Otherwise, saith he, if the Antiquity of the Law should be observed, a Slave al- 'so should, by intervention of the *Prætor*, be given by his Lord to be adopted; 'which most of the Authours of the ancient Law have written might be done.

Lib. 5. c. 19.

Adoptio. Arrogatio.

Adoption and Arrogation how of old they differed.

How celebrated.

64. So much, and something more, writes *A. Gellius* concerning this matter. Now *Baldwin* observes, that these difficulties of Arrogation, as he terms them, in the *Comitia*, were taken away long before the time of *Justinian*. For *Diocletian* declared, that an Arrogation made by the Indulgence or Grant of the Prince, and intimated before the *Prætor* or President, should be full as valid, as if it had been done according to the ancient Law by the People. But the ancient Rites of Adoption longer continued. *Gellius* writes what these were, *viz.* three Mancipations, or Sales, and Recoveries before a Magistrate; and *Suetonius*, before him, of *Augustus*, that he bought *Caius* and *Lucius* at his House, by Money and Weigh-scales, of their Father *Agrippa*. First, because the natural paternal Power was to be dissolved, the Rite of three Mancipations intervened. Then because this was done for the cause of Adoption, the Party was not manumitted, but adopted, after three Mancipations. But now whereas *Justinian* had formerly determined, that the Power of a Natural Father should not always be dissolved by Adoption, and *Anastasius* had before that resolved, that without any other Ceremony a Son might be emancipated by the Rescript of the Prince, it had been ridiculous and absurd to retain the ancient form of Emancipation in Adoptions. Therefore on the first day or Calends of *November*, he took away the whole Pageantry of the ancient Emancipation, by abolishing the imaginary Sales, or Mancipations, wherein he signifies, that Manumissions and certain *Rhapismata* intervened.

Arrogation in the *Comitia* ceased long before *Justinian*.

He takes away the old formalities in Adoptions.

65. 'The same day of the month, of the foregoing Year, when *Lampadius* and '*Orestes* were Consuls, he had taken away, as he terms them, the old Circuits in 'Adoptions, which were wont to be made by three Emancipations, as to Sons, and 'two Manumissions, or by one Emancipation in other children. And he gave 'leave to a Parent, who desired to give away by Adoption Children in his Power, 'to manifest this thing before a competent Judge, by the way of registring, with- 'out the old Observation of Emancipations and Manumissions, he being present 'who was adopted, and not contradicting, as also he who should adopt him. Now on that day twelve month after, or the Year whereof we write, he signifies

L. ult. de Adoptionibus, Cod. lib. 8. tit. 48.

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nifies to *John*, the *Præfectus Prætorio*, 'That having beheld in Emancipations a 'vain Observation, to be kept with Sales, figurated upon free Persons, inextricable 'Circumductions, and injurious *Rhapismata*, of which no rational effect is found, And the ancient Circuits. 'he will have this sort of Circuit to cease for the time to come, and gives leave 'to him that will emancipate, either to doe it according to *Anastasius* his Law, 'or without a sacred Rescript, to go before a competent Judge, or such Ma- 'gistrates as by Law, or long Custome, were permitted to doe this thing, and 'to dismiss from his hand his Sons, Daughters, Nephews, Neeces, or such 'Off-spring descending as were in his Power, and to retain his legitimate 'Rights, although he did not specially reserve any to himself; to give the *peculium*, 'or transfer other things upon them in way of liberality, to detain other things by 'the way of *Usufructus*, and doe all other things, the vain Custome, as was said, 'being onely taken away. The Custome was, that the Son was thrice sold by his Father, and, as it were, sold back to him again, that he might manumit him, being redeemed, as a Lord did his Slave, and thereby have over him the right of Patronage. This was called *Fiducia*. The *Rhapismata*, some think, were Cuts on the Ear, wont to be given to Slaves at their Manumission, as a Ceremony; others, that they were stroaks given by the *Vindicta*, or Rod of the *Prætor*'s Lictor. Five Witnesses were to be present at the imaginary sale, with the Weigh-scales and Money ready. But *Justinian*, by removing those Ceremonies, which, in the time of *Romulus*, and the twelve Tables, were thought convenient, delivered the *Imprudentia* from many Thorns and Briars, if *Tribonian* had not dispersed their Stumps and Pricks into the Digests, by inserting into them several remainders of these abolished Rites. So short was his memory or diligence in this and many other matters, as *Baldwin* sufficiently discovers.

L. ult. de Emancipationib. libror. rum, Cod. lv. 8. tit. 49. Dat. Cal. Nov. Const. 158 Conſulatu n Lam. padii & Oreſtis.

66. Certainly our Legislatour laboured much in things of this nature, as appears, amongst other Instances, from another Law he published this very day. He had formerly taken away that shadow of liberty, called *Dedititia Libertas*, declaring, He took away the Dedititia Libertas. 'It should no more for the future molest the Commonwealth, because it was of no 'use, but was onely an empty name of liberty. For he, he saith, who was an observer 'of Truth, would have those things onely to be in his Laws, which indeed were real. Such as had this liberty had little benefit, for they could neither make a Testament, nor receive any thing from one, be reduced to the former City, nor be made Heirs. 'Having abolished these *Dedititii Liberti*, the liberty of the *Latini*, as also imper- 'fect, as setled upon uncertain foundations, did, he saith, reel and stagger, having 'at first been brought up in a tumultuary and confused manner. For the *Latini* '*Liberti* seeming to have been introduced after the manner of the ancient Latinity, 'sent in Colonies, it were very absurd the Original it self of the thing being taken 'away, to have an Image or Representation thereof continuing. Now whereas af- 'ter several Fashions, and almost innumerable, the condition of these *Latini* was introduced, diverse Laws and *Senatusconsulta* made thereupon, and thence many difficulties did arise, as well as by the *Lex Junia*, the *Senatusconsultum Largianum*, and 'the Edict of *Trajan*, of which Law-Books were full, but no good Experiment had 'been made; he now thinks fit to cut off all these things, and to reduce the Latine And the Latine Liberty. 'liberty by certain methods into the perfect *Roman*. For how can it be endured that 'there should be such a kind of liberty, as by virtue of it, at the time of death, liberty 'and servitude should concur in the same Person? and that he that dies should, dy- 'ing as free, be snatched away, both into servitude and death, at the same time? Hereby it appears what a sort of liberty this of the *Latini* was, and it will be convenient to observe, what this our Legislatour tells us elsewhere in his *Institutions*, that the state of *Libertini*, or such as were made free, was of three sorts. For such Three sorts of Liberty formerly. as were manumitted sometimes obtained the greater liberty, and were made *Roman* Citizens; sometimes the lesser sort, and were made *Latini* by the *Lex Junia Norbana*, and otherwhile were onely *Dedititii*, by virtue of the Law called *Lex Ælia Sentia*.

L. unic. de Dedititia libertate tollenda, Cod. lib. 7. tit. 5.

L. un. de Latina libertate tollenda, &c. ibid. tit. 6.

Instit. lib. 1. tit. 5. de libertinis. Vide etiam.

67. *Roman* Citizens were made, either by the *Vindicta*, or by the *Census*, when they were inrolled, at the command of their Lords, in the Books of *Cesse*, or were manumitted by Testament. Or, as others have expressed, who by Testament in the Church, or before the Consul, received this favour. These could both make a Testament, and succeed in an inheritance, by virtue of one made. The *Latini* were made either by an Epistle, amongst Friends, or even at an Entertainment or Banquet. These could neither make a Will, nor succeed by virtue of one, but by a second Manumission might become *Roman* Citizens. Now the *Dedititii* were such as had been subjected to punishment after Crimes committed; for the same publickly

One became Roman Citizens,

Another *Latini*,

A third *Dedititii*.

publickly beaten, or in whose Faces or Bodies such marks were made by Fire, or Iron, as could not be defaced, who had been bound in Chains, in way of punishment, by their Lords, been found guilty, watched and observed, and who had been delivered up, that they might combate with the Sword, or with wild Beasts, or had been thrown into Custody. These could neither make Testaments, neither receive benefit by one, nor be made Citizens. They were called *Dedititii* from the example of *Stranger Tributaries*, who, being Rebels, were overcome by the *Romans*, and basely did *dedere*, or give up themselves into their Power. But to come nearer to the *Latini*. They were also called *Latini Liberti*, as *Baldwin* will have it, who were not manumitted altogether after the legitimate manner, and in solemn order; not by a Lord who was above twenty years of Age, one who was Lord *ex Jure Quiritum*; or when the Party manumitted did not exceed the Age of that of thirty. Yet whatever others say, he delivers it as Law, that being manumitted, they enjoyed such liberty, as to have *Commercium*, and a right of receiving advantage from a Testament, though they had no *Connubium*, or privilege of Matrimony, nor could make a Testament, nay, indeed dyed as Slaves. This descended from the Law called *Junia Norbana*, preferred in the time of *Tiberius* by those who were then Consuls. Thence they were called *Latini Juniani*. But that Law, and its Interpreters, signifie, that many ways these *Latini Liberti* might be made *Roman* Citizens. Sect. 2.

69. *Suetonius* relates how *Vespasian* married a Woman of *Latine* condition, being by a recuperatory Judgment pronounced ingenuous, and of free condition. Indeed such were easily made *Roman* Citizens, so at least as they enjoyed the privilege of *Quirites*, as long as they lived; and that they might not trouble themselves in obtaining it, afterwards *Trajan* conferred on them the *Jus Quiritum*, as long as they lived in general, or permitted them to enjoy it, though their Patrons being unwilling, or ignorant of it, they had procured to be Citizens; but for all this, so as they should die as Slaves. Afterward the *Senatusconsultum Largianum* was made in the time of *Antoninus Pius*, that the *Latini Liberti*, who were manumitted at full Age, and by a Lord that was at full Age also, as was provided for by the Law, called *Lex Ælia Sentia*, although not solemnly, as by the *Vindicta*, or Testament, might be made *Roman* Citizens, and dying, might enjoy the privilege of a Citizen, otherwise they could not make a Testament, as in the time of *Salvianus* of *Marseilles*, an hundred years before *Justinian*, they could not doe. At length, now Justinian takes away all troubles and difficulties about Liberty. this Emperour took away all these troubles and difficulties, and would own no other Liberty but what was joined with freedom of a Citizen. And afterward, as some have thought, by his Seventy eighth Novel Constitution, he would have all that were manumitted, not to be of libertine, but full, free and ingenuous condition. By this Law of which now we treat, he ordained, that Liberty it self should be conferred several ways, wherein the *Latine* Liberty was wont to be bestowed. For example, a Lord might manumit his Slave by an Epistle, provided it were attested by five Witnesses. He might doe it also amongst Friends, if he took five Witnesses, or did it *apud Acta*, and had the testimony of Witnesses and publick Persons.

70. *Claudius*, the Emperour had of old made an Edict, that if a Slave were in some grievous Infirmity, forsaken by his Lord, who would neither look after him himself, commend him to others, nor send him to an Hospital, such Slave should enjoy the *Latine* Liberty, yet so, as his Lord at his death seized on his Goods. Now *Justinian* ordains, 'That a Slave so used shall be absolutely free, and his former un- 'kind Master shall have nothing to doe with his Estate, either when he lives or 'dies. In like manner a She-Slave, if sold on condition not to be prostituted, if 'she be by him that buyes her, or her former Lord, reserving to himself a way of 'recovery, prostituted afterward, she shall obtain full Liberty and Franchise. Far- 'ther, whereas a *Pileus*, or Cap was used by Slaves manumitted, as a Badge of Li- 'berty, he farther ordains, that such Slaves, as at the Funeral of their Lords pre- 'cede the Corpse, or stand in the Bier, so as to ventilate the Body, and that by or- 'der of the Testatour, or the Heir, shall presently become *Roman* Citizens; whereas formerly an entrance upon an Inheritance was necessary, as well as the Cap, for making free those *Libertini Orcini*, as they were called. 'If one by Will, or by the 'other course of the *Vindicta*, signified, that he would make his Slave a *Latine* 'Freed-man, he should, for all that obtain his full liberty. If a Lord bequeath li- 'berty to his Slave upon a condition, and while that condition depends, the Heir, 'being a stranger, gives him liberty, he shall not be as formerly, a *Latinus Liber- 'tus*, but a *Roman* Citizen. If the condition failed, he should be his *Libertus*, who made

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'made him free; if the condition was fulfilled, he should be as a *Libertus Orcinus*, 'and the Patronage go as otherwise by Law it ought. He esteems it very hard 'what formerly was practised, in case a Slave upon a Controversie and Suit was 'found to be such, and cast by his Lord, that then he should onely be a *Latine* 'Freed-man, in case any other paid his price down to the Lord. He declares such Ways how full Liberty might be obtained, as of old was the *Latina Libertas.* 'an one shall be a *Roman* Citizen, as also a She-Slave, given in Matrimony by her 'Lord to a Freeman, if the Lord by writing consigned her a Portion, which was 'done for free and even noble Persons. In like manner shall be free a Slave, whom '*apud Acta* his Lord names his Son. A Slave also, to whom his Lord delivers the 'Writings, or defaces such whereby the Slavery was proved, and made out, if it 'were done in the presence of five Witnesses. These excepted, he declares, that all other ways and Methods found in any Lawyers Writings or Constitutions, shall cease, and pretenders to liberty by them shall continue in slavery, as formerly. That the *Latine* Liberty may absolutely be so, he repeals all Laws made concerning it, as to that particular, if mention be made of Liberty, and none of Latinity, it shall be taken for absolute Liberty and Freedom. In conclusion, this Constitution shall take place in those who shall onely for the future be *Liberti*, or Freed-men.

Many Laws he repealed.

71. Thus did *Justinian* both relaxate the bonds of Servitude, and open the way to Liberty; out of which good humour he published various Constitutions, which carry the name and form of Repeals. But amongst these, none are to be found for taking away the *Lex Ælia Sentia*, for though some Heads of that Law he took away, yet others he retained. That Law forbad, that one under twenty years The *Lex Ælia Sentia* but in part. should manumit a Slave, except he made good the cause thereof before Council. *Justinian* first declared, that the Age of seventeen should be sufficient; and afterward, as appears by his one hundred and nineteenth Novel, was content with that of fourteen, wherein the man was capacitated to make a Testament. The same Law commanded, that no one less than thirty years old, being manumitted by the *Vindicta*, or by Testament, should become a *Roman* Citizen. On the contrary, *Justinian* would have no consideration of Age to be had, but that he who was manumitted might be an Infant, and thereupon yet become a *Roman* Citizen. In conclusion, the same Law would have a Slave, who had been bound in Prison by his Lord, if he was afterward manumitted, to be onely in the number of the *Dediticii*, of whom we have already spoken, as to the repealing of this Law. There was another difference of Servitude, when one was a Slave *Jure Quiritum*, by a solemn Rite or Cession in Law, or onely by buying and sale, which difference he also took away, by forbidding any Dominion but what was natural, and *Jure Quiritum*. If a Slave was given in pledge, if manumitted by the Giver, he would have him enjoy liberty, though not fully, without the Creditours consent. If a Slave belonged to two Persons, as Lords, if one of them manumitted him, the whole right of him came to the other, *Jure accrescendi*, by way of accruing, yet if a Souldier did so manumit, his Companion was forced to sell his share in the Slave, who thereupon obtained full liberty. This *Justinian* would have also of force, though one who was not a Souldier did manumit, and the Slave should obtain thereby his Freedom. In conclusion, he abolished the use of the Assertion, so called, because of old it was not lawfull for one reputed and held for a Slave, to sue for his liberty though he had an occasion, but by a Vindicatour, who was termed Assertour, who could act for him; and if the first Assertour was cast, or deserted the Cause, it was lawfull for a second to take it up.

De Lege Fusia Caninia tollenda, de Assertione vindicta, de Dediticia Libertate tollenda, de Latina Libertate tollenda, de vindicando nudo Jure Quiritum.

The Advocates of *Cæsarea.*

72. This same day of the first of *November* was still more fruitfull in the production of another remarkable Law. And this was an answer to the Advocates of *Cæsarea* in *Palestine*, though directed to *John* the *Præfectus Prætorio*. *Baldwin* will have it *Cæsarea* in *Cappadocia*, formerly called *Mazaca*, which had its Society of eminent Government in the *Forum* of Lawyers, who, as *Strabo* relates, were *Tigranes* King of *Armenia* led away into barbarous Servitude; yet were as by the right of *Postliminium* afterward restored, and recovered their former Dignity. This Dignity, they and their Successours seem to have retained more than five hundred years from that Accident, till the time of *Justinian*, whom they often were wont to Consult in controverted points of Law, as were other Advocates of *Palestine* and *Illyricum*, Yet in this point to which this Answer is directed, there seems little or no difficulty worthy to move a Question. It was an ancient Opinion of Lawyers, that a Convention, Bargain, or Compact, concerning the Estate or Goods of another man as yet living, was not onely unprofitable, but filthy and dishoneſt, insomuch that such Bargainers and Contracters, were thought unworthy ever to be Heirs, and lost the Right of succeeding to such Persons, which otherwise

Lib. 12.

Tales haeredipetæ olim appellabantur vulture.

Sect. 2.

wise accrued to them. Certainly if any do greedily expect and covet the Estate of another man, that Expectation is of Evil and dangerous Example, and may provoke to the Procurement of the Death of such a Person. Indeed we may in some Cases, sell or give away our Hope and Expectation, as of the Draught of a Net; but the Hope of another's Inheritance is wicked, if we make a Compact concerning it without his Knowledge or Consent. But the Advocates of *Cæsarea* doubted if Consult *Justinian.* such a Pact might not be tolerated, as was conceived under an express Condition, if the Inheritance should fall to the Bargainers. 'Justinian so far Confirms the old 'Law, as not to tolerate any such Paction, and forbids not onely any Gift, but any 'Obligation or Security to be made thereby. *L. ult. de Pactis, Cod. lib.* 2. *tit.* 3.

72. If there had been made onely a Paction concerning a future Estate in general, whencesoever it should come, it might have been of Force, because there was no appearance of thinking of the Death of any one Person. So a Society was wont to be rightly contracted, that if any just Inheritance should happen, it might be common. And so *Justinian* elsewhere doth extend an *Hypotheca*, or tacite Obligation to such Estates as should happen by Succession. But where a Convention is specially directed to a certain sort of a single Inheritance, it seems to be intent upon the Death of some single Person, though by a Condition this wicked design, and His Answer. present thought be covered and dissembled. 'Justinian onely saith, the Pact shall 'be null; but whereas he addes according to the ancient Laws, he signifies that 'the Penalty formerly mentioned is to be inflicted. Which is to hold if the thing was done Craftily by them, that knew the man to be alive; for if they thought him dead, and by that Errour were drawn into a Compact concerning an Estate as faln, the Pact indeed should be null, but there should be no Penalty. 'One 'exception *Justinian* makes, which is, the Consent concerning whose Goods the 'Compact is made; and this, saith he, he hath also from the ancient Laws. *Baldwin* yet affirms, that there is no mention made of it, in those Laws that are extant, however the Reason is plain, for this Consent removes the Suspicion, for which such a Pact otherwise is rejected. Such a Consentor shews the Compact to be made *Bonâ Fide*, and yet he is not obliged, but he may if he please change his mind before his Death. If he change not, the Pact obliges the Parties. In like manner, if two Persons agree to succeed each other in their own Inheritances, the one thinks of the other's Death, both lyes at catch, but neither purposes to give to the other; and therefore such a Pact is also rejected, especially amongst *Pagani*, or such as are no Souldiers. But where there is a simple and liberal Consent, there is no Suspicion of Treachery, and the Pact is esteemed honest, especially if made by otherwise Legitimate Heirs, concerning the dividing of an Inheritance, when faln. As if the owner Consenting, an Agreement be made betwixt the Brother and Sons of another Brother, that they should succeed by Poll, and not altogether as representing their Father. But without the Consent of the Owner, the Agreement were against good manners, and made too much haste. *In Capita non in Stirpes.*

73. He made Answer to the same Advocates upon another Question this same day, which is not much material to mention; but so much in short. It was how Writings were to be Credited, which attested the Presence of a Party, and his return Another, to a second Question. was, that they were to stand to them, till the contrary was proved. 'This same 'day he also decreed, that no temporal Prescription but of the largest time should 'operate against a *Minor*, or one under the Age of five and twenty. At the same 'time he also took away a Legacy from a Legatee, that should conceal or suppress a Testament, and assigned it, not to the Treasury as formerly had been 'done, but to the Heir. The Lawyers in the Pandects often say, that a Legatee who opposed a Testament, affirming it to be void or false, and was cast in the Suit, should obtain nothing by the said Testament, but what should have belonged to him, fell to the Treasury; but this *Justinian* doth not assign to the Heir, which he might have done as well as the other, and wanted some Heir to put him in mind of it. However, though he had not as yet made his new Law, for taking away the *Caduca*, yet he had begun to take away many things from his Exchequer, and to leave them to private Men. He was so favourable to the Cause of Women, as to the *Dos* or Portion they brought to their Husbands, that whereas formerly he had given them a certain tacite Obligation upon the Estates of their Husbands, for the repaying of it; 'Now on the fifth before the Calends of *December*, he pre- 'ferred the Cause of them, before that of others, who had such sort of Obligations. Yet in this the Treasury is to be excepted, which having a Cause first in time was to be preferred to a *Dotale* Cause that came after. 'In this matter of Favour to 'Women, he declares at the beginning of his Law, that he was disturbed by the *Vide Balduinum lib.* 3. *L. ult. in quibus causis in integrum Restitutio necessaria, non est, Cod. lib.* 2. *tit.* 41. *L. penult. de Legatis, Cod. lib.* 6. *tit.* 37. *Justinian takes away from his Treasury, and leaves to private Men.* Favourable to Women. *L. ult. qui Potiores in pignore habeantur, Cod. lib.* 8. *tit.* 18.

Sect. 2. 'daily Applications of those of that Sex, and that he had had Respect to the ancient 'Laws, and looked onely at the time to come.

74. Great was the danger which of old an Heir or an Executour underwent, in entring upon an Estate. For, all Hereditary burthens he was loaded with, and stood ingaged, and answerable to Hereditary Creditours *in Solidum*, even beyond the Estate that came unto him. Neither to free and discharge him, did properly belong the benefit of Separation; for it was rather introduced for the sake of such as were Creditours of the Heir before he entred on such an Estate. Indeed when a *Liberta* as Heir entred on an Estate and was insolvent, and had her Patron for her Heir, it was given as an Answer in Law, that it was not unjust that the Patron should be relieved, and not burthened with Debts contracted by his *Liberta* in that manner, and therefore her own Goods were separated from the Hereditary: But this was a singular Case. A *Minor* also, or one under five and twenty was relieved, who had rashly entred on a bad Estate; and in like manner a Souldier. *Adrian* the Emperour gave relief also to one above five and twenty, when great Debts appeared after an entry made upon the Inheritance which lay concealed at that time; and *Justinian* had done something to the same purpose. But by all these the Heir seemed little to be relieved: And there being such danger in venturing on an Inheritance, the Right of deliberating was desired, which having formerly been indulged for a few Months, *Justinian* gave the space of a year. 'But there being found great difficulty in this Deliberation, and no other 'Fruit, for the most part, appearing than a suspending of the Cause of the Inheritance to no purpose; at length it seemed good, that the Executour, or Heir should 'make an Inventary or Repertory of the particulars thereof, and enter upon the 'Estate with that Condition; That he should not be obnoxious to the Hereditary 'Creditours, farther than the Contents of the Inventary, and the Estate it self did extend. In case the Legatees were absent at the making of the Inventary, he 'would have certain called together, with the *Tabularius* or Scribe. And however solemn the making of it was, he now gave leave to Ceditours and Legatees to disprove it, if they could make out, that all the Goods of the Deceased 'were not therein expressed, *Bonâ fide*: Nay they might fetch Evidence from 'the Family of the Deceased, and call Hereditary Slaves to the Question it self; 'upon this Account as had been generally ordained, that such might be put to the 'Torture in Hereditary matters.

L. 12. Cod. de Jure deliberand.

L. penult. Cod. de insficiosis Testam.

An Heir to make an Inventary and to be no farther burthened.

L. ult. de Jur. deliberand. Cod. eod. die edita qui prior. Qui pignor. in pign.

75. 'In Case an Heir, notwithstanding the making of an Inventary, would insist upon the time of Deliberation, this over Cautious humour was suspected, and 'odious in *Justinian*'s esteem, and he thought him so much to renounce the benefit of an Inventary, that it should be esteemed as none; and notwithstanding 'it, he should be obnoxious *in Solidum*, to the Hereditary Creditours even above 'the value of the Estate. If one would not make an Inventary, he lost his Claim 'to the *Lex Falcidia*, and could deduct nothing from Legatees: Nay *Justinian* ordained afterwards, that Legacies should be paid intirely, as Debts were, without 'Respect to the quantity of the Estate. By the benefit of an Inventary, a Confusion 'of Obligations was prevented, in case a Creditour became Heir to the Debtour. 'If in the Inventary with the Goods he described and collated Debts, he should 'reckon also his own Debt, and should be numbred amongst the Creditours. But on the other side *Baldwin* is of Opinion, that if a Debtour succeeded as Heir, or Executour to a Creditour, his Name is to be put into the Inventary amongst Debtours, and amongst such he is to be reckoned: That as there ought to be no Confusion to the defrauding of an Heir, where the Creditour succeeds the Debtour, and makes an Inventary, so there ought to be no defrauding of the Creditours of the Deceased, when a Debtour is Heir. Nay, both Lawyers and Princes of old time answered, that as to the *Lex Falcidia*; such things should be reckoned as in time of Death were owing, either by the Deceased to the Heir, or by the Heir to the Deceased. '*Justinian* farther in some sort Infringed the right of an *Hypotheca*; that if any one buy a thing of an Executour, who hath duely made an 'Inventary, he shall have that thing free, and stand in fear of no *Hypothecary* Actions. So much doth our Legislatour commend all manner of ways, with many 'Privileges adorn, and almost obtrude the Benefit of the Inventary upon Heirs, 'even against their minds, it being of his own invention.

The penalty of not making an Inventary.

76. The following Year, or the second after the Consulship of *Lampadius* and *Orestes* was turbulent, and when *Justinian* was in danger at the beginning thereof, to be deposed by the *Nica*, and Sedition of the People about the Nephews of *Anastasius*, he must needs have been put upon other thoughts, than the making of Laws.

Laws. But all being quiet, he returned to his former Course, and on the last of *April* made a Decision, which *Baldwin* thinks needless, as having formerly been done. It was, that a Condition which a Legatee could not perform, should be taken for none; especially when Liberty was bequeathed. From the end of *April*, *Baldwin* passes without thinking it fit, to take notice of any Laws, till the beginning of *September*. On the first of this Month was dated a Constitution not ignoble, whereby he confirmed the old Law concerning the Testaments of Souldiers, who were in the Power of their Fathers: Such Sons might by Military Right make Testaments concerning their *Castrense Peculium*, neither could such Testaments be called *Inofficious*. And when they left the Wars, they might also make Testaments concerning the same things, *Jure Communi*, against which no *Querela* of *Inofficious* should lye; but this latter Privilege *Justinian* will not have extended to Sons Emancipated. Now as Sons that were Souldiers had their *Peculium Castrense*, which they got by their Labours and Dangers in the Wars, so others by their pains obtained Wealth, which Princes thought fit also to appropriate to them, and what was so gotten was called, *quasi Castrense Peculium*. Such was that got by the *Palatines* Officers, and such as served at Court; by Professours of liberal Sciences, *Archiatri* and others. Of old to Proconsuls, Presidents of Provinces, and some others, it was permitted to make Testaments concerning such a *Peculium*, which 'Privilege now *Justinian* extended to all that had Wealth so acquired. And as he 'had formerly given the Privilege to Clerks, that against their Testaments made 'of their *Peculium*, no *Querela* should lye, so now he grants it to all in General. Although what he formerly gave to Clerks in a special manner, he seemed by a Novel Constitution in a special manner to take away; commanding them absolutely to leave a Legitimate to their Parents or Children, as being obliged to give Example of greater Piety and Duty, than others were.

A Condition impossible to be taken for none.

L. ult. Cod. de Condit. insert.

L. ult. de Inoffic. clos Testam. Cod.

Justinian gives liberty to all, to make Testaments of the *quasi Castrense Peculium*.

L. 28. de Inofficios. Testam. Cod.

123.

77. It is not to be forgotten, 'That this year *Justinian* directed another Constitution to *John* the Prefect, whereby he forbad a Marriage should be prohibited 'betwixt a Man older than sixty, and a Woman than fifty, as had been discountenanced by the *Lex Julia* and *Papia*. Now this Law did not absolutely forbid the Marriage of such a Man, with such a Woman; but it judged it not fitting, nor sufficient to prevent the pain of *Celibate*, because it was late and barren; it imagined it a Marriage without Marriage. Afterward it was thought fit, that a Man of sixty might Marry, but not a Woman of fifty; which was approved by the *Senatusconsultum Claudianum*, and the reason was fetch'd from Nature, and declared by *Aristotle*, a Man being by him supposed to be able to Generate till seventy, and a Woman but till fifty; to which Opinion the Lawyers were ready to subscribe. 'But '*Justinian* thought Nature might be fruitfull beyond these bounds, and he considered that Procreation was not onely the honest end of Matrimony; and therefore as 'he found other Heads of that Law to be repealed before his time, so in Favour of 'ancient People, he resolved to take this away likewise. And it happening afterward, that a Woman above fifty had brougnt a Child; and of this being consulted by the Advocates of *Cæsarea*: 'He could not refuse to admit of the Child as Legitimate, though born after the wonted Age of the Mother, but reckoned it amongst 'Legitimate Heirs. And this was a Question rather of Fact, than of Law; it being alledged, that the Birth was Suppositious as not proceeding from so ancient a Woman. 'In a matter doubtfull and questionable, yet he pronounced that the 'Cheat was to be proved by him that alledged it, it being no proof to alledge the 'ordinary Course of Nature, which might sometimes exceed her ordinary Methods, and to be sure it was a thing equitable to Favour the Infant. But when another Question was moved, whether a Child born in the eleventh Month after the death of the Husband was Legitimate; the difficulty was greater, it being not onely a Question concerning the force of Nature, but of the Fidelity of the Woman, who might lye and dissemble the true Father. What else was to be judged in this Case, he prudently and Cautiously determined in a Novel Constitution. As for the Birth of a Child after the fiftieth year of the Mother: *Baldwin* instanceth in an History, which serves better, than any Gloss to make good *Justinian*'s Law. It is this, *Constantia* the Wife of *Henricus Suevus*, the fifth Emperour, being fifty four years old was with Child, and that there might be no Fraud had Keepers appointed to watch her. And at that Age she brought forth a Son, who by the Name of *Frederick* the second succeeded his Father, *A. D.* MCC. As for a Birth in the eleventh or twelfth Month after the death of the Husband, let the Faculty of Physick, and the Lawyers of *Paris* speak, in the behalf of a late Prince of their own Bloud.

He permits a Man of sixty, and a Woman of fifty to marry.

L. 27. de Nupt. Cod.

L. 12. de Legit. Hared. Cod.

39.

Sect. 2.

78. In the ſeventh year of *Juſtinian's* Reign, he himſelf the third time was Conſul in the Eaſt, and without a Collegue. For in the Weſt he who now Reigned in *Italy*, was content there ſhould be no Conſul in the Weſt; Nay, for the foregoing years there were none in the Eaſt, the Emperour not regarding this Title, which had long agoe degenerated into mere Name and Form, and the barbarous Princes eſteeming it but as a Badge of the Empire. And now *Juſtinian* ſeems to have intermitted his buſineſs of making Laws ſo practiſed by him in the five preceding year; there being no new and ſingular Conſtitution publiſhed this year, as *Baldwin* obſerves, which he doth not attribute to his diſtraction about Martial Affairs. For the *Perſian* War was diſpatched, that of the *Vandals* in *Africk* was ended, and the *Gothick* in *Italy* was ſcarce begun. He ſuſpects him and his Lawyers to have been buſied in peruſing the Pandects, and compoſing the Inſtitutions, with the Edition of which this year was over and above Ennobled. The Inſtitutions were compiled more lately, and yet publiſhed a little before, but obtained not Authority or Force in the *Forum*, but from the ſame day the Pandects were publiſhed. Concerning the Edicts and Prefaces premiſed and conjoyned, to both we have ſpoken already, and altogether. That of the Inſtitutions is a Book indeed, wherein the Authour much Glories and Prides himſelf. He pretends it ſo to be Compoſed, as to be a ſort of *Index*, of both Laws Ancient and Modern, a Breviate of many Conſtitutions formerly publiſhed by him; and to appertain no leſs to the Code, than the Pandects.

No Conſtitution this Year.

But the Pandects and Inſtitutions came abroad.

79. Now *Baldwin* will have it ſo far from compriſing the Heads of all his New Conſtitutions, that he affirms not the fourth part of them to be touched, ſcarcely ſixty of two hundred and fifty. Yet where the place permitted it, and occaſion required, he acknowledges that the Architects of this Epitome were mindfull of their *Juſtinian*, and not ſo exceedingly forgetfull of their New Law as they had been in the Pandects. He owns that the Memory of ſome Conſtitutions are herein preſerved, which elſe had been loſt; as thoſe *De Jure Patronatus*, and *De Incertis Perſonis*, which poſſibly were written in Greek, and therefore ſome few hints of them onely remain in the Code. As for the Patronage of ſuch as had been Slaves, it has been ſpoken to. By the other Conſtitution it ſeems, he made it lawfull to leave a Legacy to an uncertain Perſon, which before could not be done: For Example, a Legacy thus left; *Let mine Heir give to him, that ſhall give his Daughter in Marriage to my Son*, &c. For though this uncertain Perſon became after certain, yet the Legacy was null, becauſe it ſeemed given raſhly, and without good Advice. Amongſt the Living, Liberality might be conferred on an uncertain Perſon, as in throwing Money to a multitude; but the Ancients required a more ſetled and Compoſed mind in Teſtatours. To ones own Poſthumous Child, a Legacy they permitted to be left, but not to one of another Man; and though the *Prætor* was Aſſiſtent to the latter, in obtaining an Inheritance, yet he granted no Action for Legacies. This being but too nice and ſubtile, was Corrected by *Juſtinian*. Indeed it had been lawfull to leave Legacies to the Poor in general before his time, which he confirmed by a peculiar Conſtitution: This was a ſingular Exception and could not avail, that a Legacy left for the redeeming of Captives could be good, till *Leo* the Emperour expreſly confirmed it. Him *Juſtinian* followed, and afterwards ordained Univerſally, that a Legacy might be left to uncertain Perſons.

Quem vide lib. 4. de Jure Nov.

The Memory of ſome Conſtitutions preſerved in the Inſtitutions.

Juſtinian makes it Lawfull to leave Legacies to uncertain Perſons.

80. Though the Conſtitutions of *Juſtinian*, concerning *Legata* and *Fideicommiſſa* be extant; yet a noble Head of this Subject had been wanting, if not mentioned in the Inſtitutions. Concerning Legacies paid by Errour to pious Uſes, their being irrevocable. *Baldwin* farther obſerves, what *Antinomia*, or repugnancy in Law had been found in the Pandects, if it had not been for this little Book, which ſhews whether of theſe repugnant Teſtimonies brought out of Authours, is to be followed. But ſo great was the Oſcitancy of *Tribonian*, that he wiſhes he had alſo made ſome Notes upon his Pandects, to ſhew us what to doe in ſo many diſſenting places, and tells us what Opinion we are to follow, and which of them was moſt liked by *Juſtinian*. He declares, that ſuch a Book of Annotations had abſolutely been as neceſſary, as the Inſtitutions. Not to ſay, that many things are raſhly delivered in the Inſtitutions, which upon good Grounds were rejected in the Pandects. But truely theſe things, ſaith he, are Cautiouſly and Conſiderately to be weighed, that from the thing it ſelf we may prudently determine, what is to be imputed to the Careleſneſs, and (if one may ſay ſo) to the folly of *Tribonian*. For his miſtake, and to uſe *Cicero* his Word, his Heedleſneſs (*non Curantia*) ought not to overthrow the Reaſon and Verity of the Law. The Inſtitutions were publiſhed on the eleventh before the Calends of *December*, and the Pandects on the ſeventeenth

ſeventeenth before the Calends of *January*. But the Inſtitutions were not to be of Force till this latter day, together with the Pandects. And it is to be obſerved, that the Inſtitutions are to be eſteemed the latter, and that conſequently they derogate from, and repeal the Pandects upon occaſion, and not the Pandects them. Sect. 2.

The Inſtitutions derogate from the Pandects.

81. *Baldwin* alſo is out of Humour, to find in the Title of the Pandects, that they are ſtyled Books, *Juris Enucleati*, or Kernels of the Law, being Collected from all the ancient *Juriſprudentia*. *Juſtinian* calls the Compilers of them, *Compoſitores Juris Enucleati*, and he wiſhes they had been ſuch as was *Q. Mucius*, of whom *Cicero* teſtifies, that he did ſpeak *Enucleatè & Politè*. But perhaps, he adds, it would be ſilly to expect ſuch a thing from ſome *Græculi*, eſpecially in what concerns the *Roman Juriſprudentia*. Certainly they who boaſt, they give us Law in the Kernel, have given us a Kernel incloſed in a very hard Nut; or rather one with the other, ſo bruiſed and intermingled, that they can ſcarcely be diſcerned. But as for what the Inſcription tells us, that ancient Law is gathered together in the Pandects, as *Juſtinian* alſo boaſts in his Preface to the Inſtitutions, how this is to be taken, is not obſcure. For, as was formerly ſaid, he would have the Pandects accommodated to the uſe of his own time and the *Forum*, and they are ſo interpolated, as to contain a certain mixt Law, partly Old, and partly New; ſo they ſeem to be a Compoſition of both Laws. And *Juſtinian* himſelf, ſomewhere calls them a Compoſition of new Law. But I have, ſo he concludes, formerly ſhewn what diligence and fidelity *Tribonian* uſed in the patching of them together.

82. In the year following, wherein *Juſtinian* was Conſul the fourth time, together with *Paulinus*, though the *Roman* World was buſied in turning over theſe new Books, yet was it ſtill plyed with hot and new Conſtitutions; yet theſe not many, but ſinuous and mightily pretending to the Civil Law. *Auguſtus Cæſar* indeavouring to bring all Men to marry, as we have ſeen in our ſecond Part, and not able to doe it, after ſeveral other Laws called *Leges Juliæ*, brought up *Lex Papia Poppæa*, to puniſh *Celibate*, and increaſe the publick Revenue; that if the Commonwealth could not be ſupplied with Men, it might with Money. Now a great deſign of this Law, was to make Legacies and Eſtates to be of the Nature of *Caduca*, and in many Caſes to fall to the Treaſury for certain Defects, of which it's not fit here to inquire; and *Baldwin* concerning this Subject hath written largely. 'Theſe *Caduca*, ſome Caſes excepted, did *Juſtinian* now take away, and let 'theſe things fall to Heirs and Legatees, and would not have them to accrew to 'his Exchequer. This he did by a Conſtitution directed on the Calends of *June*, to the Senate of *Conſtantinople*. Beſides this Conſtitution publiſhed after the Pandects, on the third before the Nones of *July*, he gave out another for facilitating ſtill more, the making of Teſtaments, and that in Favour of *Pagani*, or Countreymen. In the *Pagi* or Villages, he is content five Witneſſes be ſufficient where more fit ones are not to be had. In Cities and *Caſtra*, or leſſer Towns, he will have the ancient Law to be obſerved. As five Witneſſes here are ſufficient, ſo formerly to all Codicills, and in ſuch Teſtaments wherein ſuch Heirs are inſtituted, as otherwiſe were to ſucceed by Law. *Leo* the Emperour afterward would have three Witneſſes ſuffice in Cities, and three in the Countrey for making Teſtaments. And indeed it was thought fit to depart by degrees from that ſcrupulous ſeverity of the Ancients in making Wills, though ſome reaſons (as lately to ſhun Perjury) drive again ſometimes a State to a more near obſervance of them.

Juſtinian takes away *Caduca*.

De Caducis Tollendis.

He will have five Witneſſes to a Teſtament ſuffice in Villages.

83. Now towards this time, *Juſtinian* began to bethink himſelf, what a vaſt number of Conſtitutions he had made, ſince the firſt publiſhing of his Code. They were grown up to near as great a Bulk as it had been: He thought therefore, to put them all together and make a new Edition. Therefore this year on the ſixteenth before the Calends of *December*. The Code in this ſort augmented, corrected and interpolated came abroad. *Baldwin* blames them that reckon onely fifty Deciſions to be inſerted, there being, he ſaith, above two hundred new Conſtitutions added at this new Edition. And here he affirms, according to his Cuſtome, that it had been no leſs neceſſary to have had another review, Interpolation and Edition of the Pandects, for making the Law complete and agreeing. Nay, that the Compoſition of the Code and Pandects, was not onely to be driven to the ninth year, as *Juſtinian* ſaith, but even the Promulgation of them to the time of his Death, that Perfect, Enucleate and Conſummate Law, might have been delivered to Poſterity, to be conſtant and perpetual; and ſo he might have ſaved the pains of throwing out ſo many Edicts, which afterwards he again rejected, according to experience and uſe of things which *Livy* affirms, to be the moſt ſevere Examiner, and Exploratour of Laws. At the publiſhing of the Code, he commanded

He makes a ſecond Edition of his Code.

Sect. 2. manded that out of its Body no Conſtitutions ſhould be read. He meant ſuch Conſtitutions as were already abroad, not thoſe he ſhould afterward publiſh; for he foreſaw there might be occaſion from various experience, yet to make others. And he was not deceived. For ſcarcely had a Month and an half paſſed from this new Edition, when in the beginning of the following year, he ſet upon making Novels, of which he poured out ſo many that their Volume almoſt at length exceeded the Code it ſelf. And as formerly he Compoſed his Edicts in the Latine Tongue, rather than the Greek, now he made uſe more of the Greek, than the Latine. For both the Eaſtern and Weſtern part of the Empire, was to be gratified; and the *Gothick* War now raging in *Italy*, it ſeemed moſt fit to Conſult the Eaſt, in the making of Laws.

And Novel Conſtitutions preſently after.

84. In this ſucceeding Year, wherein *Beliſarius* was Conſul, he publiſhed twelve Novels, whereof the firſt ſoon after the coming out of the Code, on the Calends of *January*. It confirms the ſeverity of the old Laws, againſt ſuch Heirs and Legatees, as do not fulfill the Will of the Teſtatour, 'ordaining that ſuch ſhall re- Nov. 1.
'ceive no benefit by a Teſtament, who ſo long defers to doe what therein he is or-
'dered, that he continues negligent an whole Year after a Judicial Condemnation.
No other way was there to make good the Will of the Dead, and afterward he
was a little more ſevere upon the Score of Religion, 'depriving one of the Right Nov. 13.
'of Succeſſion, who being by a Magiſtrate once and again admoniſhed, did not pay
'Legacies given to pious Uſes, condemning him as to the Fruits and Intereſt, if he
'made not payment within ſix Months after the Teſtatour's death, whereas the Heir
was wont to pay Fruits and Intereſt of old, for ordinary Legacies from the Conteſting
of the Suit. 'But he excepts Parents and Children, ſo as they ſhall have their
'Legitimate ſhare which they ſhould have had by Law, or otherwiſe might have
'brought the *Querela Inofficioſi Teſtamenti*, though they contemn the Commands of
'the Teſtatour; this belonging to them, whether the Teſtatour will or not. By
the ancient Law, called *Lex Falcidia*, ſuch Care was had of an Heir, that the fourth
part he was inabled to retain of an Eſtate left by the Teſtatour, to be deducted if
need were, out of Legacies and other burthens impoſed on him. 'Now *Juſtinian* was
'ſo favourable to Legatees that he indeavoured by this Novel, in a manner to remove
'and take away this *Falcidian* part, leaving it in the Power of the Teſtatour: If an
'Heir in ſuch a Caſe would not take to the Eſtate, he left it to others that were next
'concerned to doe it. If the Heir omitted to make an Inventary; to be ſure he ſhould
have no benefit of this Law, or if he did it not in due form; and here he will not
truſt a *Tabularius*, but all the Legatees, or three Witneſſes in the Room of them,
muſt be called together. In Concluſion, if the Heir pay a whole Legacy to one of
the Legatees, he ſhall be obliged to all the reſt, and have no benefit of this Law.

The firſt is ſevere againſt Heirs or Legatees, who perform not the Teſtatours Will.

Twelve the following Year.

85. By another Novel he would have principal Creditours, to be ſued before Nov. 4.
Fidejuſſors, or ſuch as were bound with them, and this Conſtitution he gave out this ſame year, on the fourteenth before the Calends of *April*. Of theſe it ſhall ſuffice to have touched, for we muſt not give an Account of all his Novels, where- of ſeveral have been mentioned, and others nearly relate to the more private Part of the *Jus Privatum*, and belong to Law, and not to Hiſtory. Indeed ſome that concern the *Jus Publicum*, Hiſtory and the Conſtitution of the State its requiſite that we Examine, but firſt we ſhall mention at parting with theſe things, that concern private Law, one Novel which by no means is to be paſſed by: The reaſon is given by *Baldwin*. If there be any new Conſtitution which abrogates many old Laws, which overthrows the moſt ſubtile Myſtery of the ancient Doctrine, which delivers the *Juriſprudentia* from many Ambages and vain Circuitions, which not onely diſſolves, but cuts many of its Knots; in Concluſion, which as it were with one Stroke blots out many Pages of the Pandects, this is it. *Juſtinian* had formerly taken pains to Model aright this moſt Noble part of the Law, concerning the Legitimate Succeſſion to Perſons dying inteſtate. But now he perceived all was to no purpoſe, except he cut down with one blow, all that wood of the ancient Law, being too acute and preciſe, beſet with ſo many Thorns, and perplexed with ſo many Turnings and Windings; and that by reducing the whole matter to ſome one Form, ſimple, agreeable to Nature, and the Law of Nations. Great Conteſts had continued about this Buſineſs in the *Roman* Law, for one thouſand and three hundred Years, from the founding of the City, and *Juſtinian* had ſpent ſixteen in the Compoſing of them.

Will have Principal Debtours ſued before ſuch as are bound.

86. What a difference was made, and how great in the *Roman* world, betwixt Children in ones own power and Emancipated, betwixt *Agnati* and *Cognati*, from the Laws of the twelve Tables till this time for a thouſand years, what diſturbance it

Sect. 2. it made, and in what difficulties it involved the Juriſdiction, the Books of Law ſpeak aloud. 'But now our Legiſlatour commanded it to ceaſe, in Legitimate In- *Novel.* 118.
'heritances of the Inteſtate. To thoſe Inheritances in the firſt place, he ſimply
'and naturally calls the Children of the Deceaſed, whether they were in his power
'or not, and of whatſoever Degree or Sex. The Law of the twelve Tables firſt
called onely Children, under the paternal power and ſuch as were in the firſt Degree. Yet the *Prætor* alſo admitted ſuch as were Emancipated, and at length the Senate commanded Sons to be the Legitimate Heirs of their Mothers, though a Woman had not her Children in her power. Therefore a neceſſity of Children being in power to become legitimate Heirs, was taken away many Ages before *Juſtinian*. And for the other point of the firſt Degree, Grandchildren were alſo admitted, but rather as Sons than Grandchildren, for they ſupplied the firſt Degree, and came to the Inheritance, rather as their Fathers than their Grandfathers, by way of Repreſentation. 'Now *Juſtinian* ſeems not to have altered the Law in this point, for
'he always would have Grandchildren by two Sons not to ſucceed in *Capita* by
'Poll, but in *Stirpes* by way of Repreſentation. Though had he regarded Natural more than Civil reaſon, he would have judged in the opinion of *Baldwin*, that they ought rather to have ſucceeded in *Capita*; eſpecially there being onely Grandchildren. But he did not always with ſufficient acuteneſs ſee what was conſequent, the ſubtilty of the ancient Law being taken away. As for the Sex, there was of old alſo ſome difference betwixt Nephews and Neices. But he had aboliſhed it before.

He cuts off Conteſts about ſucceeding to the Eſtate of an Inteſtate.

By calling all Children to the Inheritance.

87. 'If there were no Children which are called Deſcendents, then in the ſecond
'place he called to the legitimate Inheritance Parents termed Aſcendents, that is,
'Father and Mother equally, or if there were no ſuch, thoſe above them, but ſo
'as he granted them *Stirpes* not *Capita*, that is one half to thoſe of the Father's
'ſide, and another half to them of the Mother's. Now here is no Succeſſion from Degree to Degree, it being contrary to nature that what ought to be in aſcending, ſhould be in deſcending. 'Therefore doth the Mother exclude the Grandfather
'by the Father; for ſimply and naturally the next Degree in order of Aſcendents,
'is preferred by this Conſtitution. Now the old Law made a long Diſtinction as to the Father. As whether the Son dying Inteſtate, was in his power or Emancipated, whether he was Emancipated *Contracta fiducia*: and ſometimes the Father, by virtue of his paternal Power, ſeized the Goods of his Son as his own, and otherwhile became Heir as a Manumiſſour by right of Patronage. Hardly at length did the Senate admit the Mother to the Legitimate Inheritance of her Son. Of theſe things it's fit a remembrance ſhould be had by the Conſeſſion of *Baldwin*, to make us more ſenſible of the natural ſimplicity of the new Law introduced by *Juſtinian*.

If no ſuch, Parents.

88. 'Our Legiſlatour together with Parents, admits and joins Brothers and
'Siſters of the whole bloud, and gives to each of them, as much as to each of the
'Parents. But here he hath reſpect to *Capita* rather than *Stirpes*, whereas he di-
'vided the Inheritance to Father and Mother by *Stirpes*, ſo the Acceſſion of Brothers
'and Siſters alters the Law of Aſcendents. And ſuch Brothers and Siſters as are admitted with Parents, are much more Heirs if no Parents be alive, and it is alſo to be ſuppoſed, that they are to be preferred before thoſe of half bloud onely. The ancient Law when it called *Agnati*, in the firſt place called thoſe by the Father's ſide, but thoſe by the Mother not at all, for the former ſort were *Agnati*, but the latter not. And becauſe it had reſpect to *Agnation*, not to *Cognation*, it provided for thoſe that were by the Father, onely as much as for *Germans*, or thoſe of whole bloud. 'But *Juſtinian* takes notice of the Natural more than Civil Conjunction,
'and by this one Rule, cuts off infinite Diſtractions and Diſputations of the Ancients, and obliterates ſo many things in the Digeſts, that *Baldwin* tells us, his Relation would be without end if he ſhould reckon them up. 'But, what he confers on Bro-
'thers and Siſters, he alſo gives to their Children, but not ſo fully and *in ſolidum*. When the old Law called the next *Agnatus*, or thoſe of the Father's ſide, to the Inheritance of the Inteſtate, it called not the Son of one Brother already Dead, together with another Brother, for the Brother being in the nearer Degree excluded the other Brother's Son. Neither did the Ancients grant the Succeſſion, which was given to a Grandſon, to ſucceed with his Uncle by the Father's ſide, to the Son of a Brother. They gave it to the Grandſon, becauſe though he was alone, yet otherwiſe he could not but be Heir. To the Son of a Brother they granted it not, becauſe by the Law he might from his Degree come to his Inheritance, if there was none nearer than he; but they thought it not Law to joyn him with a nearer,

With whom he joyns Brothers and Siſters of the whole bloud.

Takes notice of Natural rather than Civil Relation.

as

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Will have the Son of a Brother exclude Brothers of half bloud,

as it were born out by a new Succession. 'But our Legislatour liberally granted the 'succession which they denied, so as the Son of a Brother German, should exclude 'both the Brothers of half bloud, in right of his Father, into whose place and Degree 'he succeeded. But this is consequent, that if there be several Sons of one Brother, who are admitted with a Brother German of the Deceased, the Inheritance shall be divided in *Stirpes* and not in *Capita*. Yet if onely Sons of two Brothers succeed without an Uncle, no reason there is, but that they succeed the old way, not in *Stirpes*, but in *Capita* or by Poll. 'The same thing was granted to Sons of Uncles, 'but not to a Grandson of an Uncle, to have equal right with the Sons. *Justinian* 'prefers the Son of a Brother before an Uncle, because in the order of De-'scendents, to whom an Inheritance naturally devolves before it returns to Ascen-'dents, of which rank an Uncle is.

89. As for those who are called to a Succession from a collateral or transverse Line, that Succession is to be measured by the privilege given to the former sort. *Justinian* in his Institutions saith, an *Agnatus* is to be admitted to an Inheritance, though he be in the tenth Degree. And the *Prætor* in case of *Proximity*, would promise possession of an Estate, to those alone who were in the sixth Degree, and from the seventh to the Children of a Cousin by the Mother's side. Therefore *Agnati* were admitted at a greater distance than *Cognati*; but whereas *Justinian* took away the difference betwixt them as to Inheritances, he seems to have granted the same privilege to the *Cognati*, as formerly the *Agnati* had enjoyed. So that it may be presumed, that such as are removed no farther than the tenth Degree, may be called to an Inheritance; for *Justinian* easily would admit them before his Exchequer, having waved the concernment of the *Caduca*. But what difference was made by the *Lombards*, how they admitted *Agnati in infinitum*, and denied Ascendents could be Heirs; and by such as have from them imbraced the *Feudatary* way, is not proper at present to be insisted on; it being novelty to what we are now about. Afterwards he made another Novel Constitution, which is as an Appendix or Accession to this, dated on the fifth before the Calends of *December*, in the seventh year after the Consulship of *Basilius*. He had formerly granted to the Sons of a Brother, that they might be Heirs with another Brother of the Deceased, by a certain Right of new Succession; yet he had denied, that such Sons of a Brother, could be admitted to inherit together with Parents. But musing long, and much about it, at length he concluded it was not to be denied them, and for this purpose, he published his Hundred twenty and seventh Novel, which in this matter, should correct and amplifie his Hundred and eighteenth. This Novel was published at *Constantinople*, the same time that *Totilas* King of the *Goths*, took and defaced *Rome*.

Gives the same privilege of the tenth degree to *Cognati* as *Agnati*.

90. We think it not fit to say much more, concerning the Novels of *Justinian*, but give onely farther some few hints. For first, several of them have been spoken of already upon occasion. Then many of them relate to Ecclesiastical matters, and so are not of our Cognisance here. And then there is no order observed in the Disposition of them, as is either in the Digest or the Code, but as occasion was offered of any doubt wherein the Prince his Resolution was necessary to every thing, so it is set down without any other method or form. The Body or collection of them is called the *Authenticum*, because most of them being written in Greek by the Emperour, they were Translated into Latin, and the Translation was so good as to be counted Authentical, as also to distinguish them from the *Authenticks*, which are crept into the Code, and from the Epitome of *Julian*, which was often called a Book of Novels. *Accursius* and the Doctours have commented and glossed onely on ninety eight as Dr. *Duck* tells us, but *Julian* in his Epitome, presently after the Death of *Justinian*, published one hundred and twenty five. *Holoander* published an hundred sixty five, and *Cujacius* added three. But we ought he saith to follow the opinion of *Accursius*, and the common and received one of Interpreters, when we speak of that Law, which is received and used amongst Christian Nations. However, in our latest Editions, we find one hundred sixty eight, and those illustrated by the Commentaries of the Learned *Dionysius Gothofredus* and others.

The *Authenticum*.

Novels how many.

De usu & auctoritate Juris Civilis, lib. 1. c. 4.

91. The first Latin Version of the Novels, was that of *Julian*, the Antecessour, made not long after *Justinian*, which all Writers commend. The other which *Accursius* and the Interpreters make use of, *Alciate* calls barbarous, but *Cujacius* commends its authority from Antiquity. It was made as *Molinæus* guesseth by an uncertain Authour, and one unskilfull in the Latin Tongue; but being received by all Nations, both in their Studies and Judicatories, it hath the Authority of Law; and

The Latin Versions.

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and if a Controversie arise concerning the Text, recourse is not always to be had to the Greek Fountain, because *Contius* thinks, that this Translation was made from a more perfect Copy than now we have. Therefore our lately mentioned Countreyman concludes, that such Novels as are not by Custome received, ought not to be admitted, which also is to be said concerning the Novels of *Leo* the Emperour, sirnamed *Philosophus*. But we must farther add, that the whole Volume is distinguished or divided into nine Collations, Constitutions or Sections, as the Novels into Chapters; that is, the Latine Volume is so divided, for the Greek Text acknowledgeth not this Division into Collations. Some are general and concerned all, who had the like cause of Doubt; and some are private and concern onely the place or Person, for whom they were written, some belong to the *Jus publicum*, and others to the *Jus privatum*, these being far the greater number. In conclusion, we have been tedious upon this Subject of *Justinian's* Laws, and still must add something farther, and therefore it will be convenient to dismiss the Novels; especially considering what is added at the bottom of the Titles of all the Collations by *Gothofred* or some other. What ever Dr. *Duck* writes, having reckoned them all up he adds, 'Therefore all consent that there are an hundred 'and sixty eight Novels of *Justinian*, neither more nor less. But *Mathæus Monachus*, 'in his Preface to the Collection of Greek Ecclesiastical Constitutions, plainly 'wrote, that *Justinian* made an hundred and seventy, from whence it appears that 'two are yet wanting, that I may omit, that most above related, are not the 'Constitutions of *Justinian* himself.

The nine Collations.

92. Still besides these, we find added in the later Editions, twelve Edicts so called, or General Laws translated into Latin by *Henry Agylæus*. Concerning them, the same is to be said as of the Novels, in which some of them are included. They belong for the most part to the ordering of the Eastern Provinces, whose-soever they were. And now we suppose we have our whole Number, or all the Constitutions and Laws made by *Justinian*, if not more than all. Put them then altogether, and we have this Account. In his Code, there are of Ecclesiastical concernment which bear his Name, thirty and eight at the least, and of such as relate to Civil Affairs, three hundred thirty and five, as I have reckoned them. Add to these one hundred and seventy Novels, which *Mathæus Monachus* wrote that he published, two being wanting of the number, and twelve Edicts, and they make up five hundred and fifty five Constitutions made by him. Of these, such as are in the Code are undoubtedly his, and therefore in shewing how he introduced new Law, they were to be made use of. And thus we have taken a sufficient survey what *Justinian* did, as to modelling the old, and bringing up new Law; we see that besides his own Constitutions in the Digest, and in the Code, he has caused to be inserted the opinions of the ancient Lawyers, and the Edicts of the Emperours his Predecessours. But here we find a loud Complaint made, and that not undeservedly, that after the compiling of these his Books, the writings of the ancient Lawyers so full of Wisedom and Learning were neglected, and indeed perished, little to purpose being left of them. And he is by many accused, together with his *Tribonian*, of burning or destroying all those writings of the Ancients, and the Laws of the twelve Tables, that his own Collections might be of greater authority, and be the Standard of Law. O what sighing and complaining there is amongst learned Lawyers, that they want those clearer lights and more infallible Guides.

Twelve Edicts.

Five hundred and fifty five Constitutions in all.

Some thought *Justinian* destroyed the writings of the ancient Lawyers,

93. But others are more kind and charitable to his memory, who rather think that these writings perished by misfortune, by the Calamity of the Times, and the Incursions of the Barbarous Nations. For of the three Cities which were the Universities for Law, *Berytus* perished not long after *Justinian* by an Earthquake; *Rome* was often taken and wasted by the *Goths*, and other Barbarous People; and after many other Calamities, *Constantinople* at length became a prey to the Turks. Certainly after *Justinian's* Death, the whole *Roman* Empire was overwhelmed by the *Goths* and other Barbarians, with so many Calamities, such Plunderings, Burnings and Desolations happened, that they attribute it to the singular providence of Almighty God, that in the Pandects, by the indeavour of *Justinian*, such remains of the ancient Lawyers were preserved. And here it will not be amiss, nor besides our purpose to let the Reader know, what Reliques or Remainders there are left of the ancient Law before *Justinian*, which escaped the Envy, or the Iniquity of the Times. The first Foundation of the Law, were those Ordinances made by the Kings of *Rome*, called *Leges Regiæ*. These were collected into a Body by *Sextus Papirius*, and afterward *Granius Flaccus* wrote a Commentary upon them,

Others Vindicate him.

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but both Volumes have miscarried. Yet fragments of them have been collected by *Antonius Augustinus*, *Contius*, *Baldwin* and others; that is of three of the Kings, *viz. Romulus*, *Numa* and *Servius Tullius*, which last as *Dionysius Halicarnassæus* writes, made fifty Laws concerning Contracts and Crimes, for no Footsteps are extant of any made by *Tullus Hostilius*, *Ancus Martius*, or *Priscus Tarquinius*, and much less of *Tarquinius Superbus* who abolished those of *Servius Tullius*.

Remains of the Laws of three Kings of *Rome*.

Vide Notitiam *Juris ante & post Justinianum* Reliquiarum præmissam Pandectis.

94. Of the Laws of the twelve Tables, the second Body of the *Roman Jurisprudentia*, fragments have been collected by many, every one using his own method therein. Of the several methods, that of *Francis Pithœus* is judged best by *Jacobus Gothofredus*, who himself hath made Observations concerning Errours committed, Omissions, Interpolations and matters foreign to the thing, hath restored the Fragments that remain into order, added the History, Proofs, Notes and Glossaries in a work published at *Geneva*, in the year MDCLIII. All Laws afterwards enacted for the use of the People at *Rome*, at least as much as in them lay, have been collected and catalogues of them exhibited by *Ant. Augustinus*, *Zasius*, *Mauntius*, *Hotoman* and *Charondas*. Of these Laws some singular ones have been collected, and illustrated by Commentaries. As the *Lex Velleia* by *Antonius Augustinus*, the *Lex Julia Majestatis* by *Contius*, and the *Lex Julia de Adulteriis* by *Brissonius*. *Baldwin* hath collected the Heads of the *Lex Voconia Falcidia*, *Julia*, *Papia*, *Poppæa*, *Rhodia*, *Aquilia*. *Curatius*, *Jacobus Gothofredus*, and others have done the same by other Laws of lesser Note. As for *Senatus Consulta*, *Ant. Augustinus* collected such as concerned the *Jus Privatum* from *Tiberius* his time till that of *Marcus*. And *Scipio Gentilis* hath illustrated with singular Commentaries, Orations of Princes, which were wont to precede the *Senatusconsulta*. The *Edictum Perpetuum*, the third and indeed the cheifest Body of the *Roman Jurisprudentia*, was indeavoured to be collected by *Eguinartius Baro*, but with a mixture of other things. A better and pure collection was made by *Guil. Ranchinus*, onely the Chapters of the Edict are not disposed according to the true method, but that of *Justinian's* Law.

Of the Laws of the twelve Tables.

Of other Laws.

Of *Senatusconsulta*.

Orations of Princes.

Of the *Edictum Perpetuum*.

95. Of the writings of the ancient Lawyers, fragments and pieces are put into the Pandects, under the several Titles of the several Subjects. And some, as *Ant. Augustinus*, have taken pains to unite those pieces of the same Authours, and exhibite them together with some antecedents and consequents of the same Chapter, so that thereby a shew is made of a Restitution of the Books of those ancient Authours which perished. Some have illustrated with Commentaries those particular Authours, or the particular Books mentioned to be written by them. And besides these Fragments in the Pandects, some other Fragments out of them, have come to our Hands which it would be most usefull to put into one Volume, and in part it hath been performed by *Peter Pithœus*. But particularly some Fragments of *Gaius* are remaining, which were collected by *Anianus* the Chancellour of the *Gothick* King, and mangled out of the four Books of his Institutions; for so many he wrote: and other Fragments of his Institutions might still be added from the Pandects, the Authour of the Collation of the Mosaical Laws, *Boetius*, *Priscian* and *Diomedes*. There are also some remains of the Labours of *Ulpian*, or twenty nine Titles, collected also by *Anianus*, and it's thought out of his Book or Body of Rules; and more Fragments still might be added from the Collation of the Mosaick Laws, and *Boetius* upon the Topicks of *Cicero*. Besides these there are some Fragments of an anonymous Writer, concerning the *Species of Law and Manumissions*. Moreover five Books of the *received Sentences* of *Paulus*, written to his Son, or rather pieces taken out of these Books by *Anianus*, the Collectours of the Pandects and others, but highly usefull for the knowledge of ancient Law, and the understanding of that of *Justinian*. One Fragment also of *Modestinus* still remains, taken out of his third, or rather his ninth Book, bearing title concerning the *Goods of Liberti and Testaments*.

Fragments of ancient Lawyers remaining besides those in the Pandects.

As of *Gaius*.

Of *Ulpian*.

Of an Anonymous Authour.

Of *Paulus*.

Of *Modestinus*.

96. Three several *Stemmata* are also extant, or ancient Descriptions of the Degrees of *Agnation*, according to which Inheritances descended. A Consultation of an ancient Lawyer of the middle Age concerning Pacts. An *Historico Juridical* Narration, concerning the Confirmation of the *Rhodian* Laws by the Emperours, *viz. Tiberius*, *Vespasian*, *Trajan*, *Adrian*, *Antoninus*, *Pertinax* and *Severus*. A Collation of the Mosaick and *Roman* Laws, out the intire Books of the ancient Lawyers, *Papinian*, *Paulus*, *Ulpian*, *Gaius*, *Modestinus* and others; as also from the *Gregorian*, *Hermogenian* and *Theodosian* Codes, and distinguished into sixteen Titles. From the Prefaces to the sixth and seventh Titles, some collect that the Authour was no professed Lawyer, but the Book is usefull in that it shews, what liberty *Tribonian*

Three *Stemmata*. A Consultation. An Historical Narration.

A Collation of the Mosaick and Roman Laws.

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Tribonian and his Collegues took in Hearing, Reading and Altering the writings of the ancient Lawyers, in that it contains many Fragments of old Writings, and Constitutions, no where else extant or not so fully; and shews how the Books of ancient Lawyers were divided into Titles, especially in Title the fifteenth. A Book of Answers of *Papian*, is hither also to be reckoned, collected out of the *Roman* Lawyers and Laws, though it's thought he was a *Burgundian*, and did it for the service of that Nation. Moreover *Juridical* Notes used in publick Monuments and Books of the Civil Law, before *Justinian's* Collection. Of these are published several Treatises of ancient Writers, *Volusius Mæcianus* his Book also *de Asse* and the distribution of it, necessary for knowledge of Institution of Heirs and many other things, and thought fit by *Cujacius* to be read before the Institutions. To these it's thought fit to add such as have written Books concerning Boundaries, (*Finium regendorum*,) as *Siculus Flaccus*, *Frontinus* and *Aggenus Urbicus*: And the *Notitia Dignitatum* so often mentioned by us. Then in the last place as for Imperial Constitutions, there is a Collection of the short Rescripts of *Hadrian* left done by *Goldastus*. A Constitution of *Gordian* concerning Marriages contracted contrary to Order, and *de Dote Caduca* published by *Cujacius*. Some remains also there are of the old Imperial Constitutions, collected in the two Codes *Gregorianus* and *Hermogenianus*, to which several might be added out of divers Authours. Of the *Theodosian* Code and the Novels, *Theodosius* and other Emperours before *Justinian*, great mention has been made in our second Part, and here we need to say nothing more concerning them.

Answers of *Papian*.

Juridical Notes.

Volusius Mæcianus de Asse.

Other Writers.

The *Notitia*.

Remains of Constitutions.

97. If *Justinian* was guilty of destroying the Writings of these ancient Lawyers, he was justly punished himself with a certain *Lex Talionis*. His Books continued in esteem and use in the Schools and *Forum* for forty years, till *Phocas* the Emperour despised all Law and Equity. Afterward they were in a little use and esteem two hundred years, but then *Basilius Macedo*, out of Envy it's said, did what he could to abolish them, and he and his two Sons, *Leo* and *Constantinus Porphyrogenitus* made new Collections, *viz.* an Epitome of *Justinian's* Code, and another large work called *Basilica*, which continued to be the Standard of Law at *Constantinople*, till the end of that Empire; *Justinian's* Books being wholly neglected and forgotten. Yet out of his Books were the *Basilica* Composed; and though the said Books were not known in *Italy*, and the Western parts, for five hundred years after his Death, yet by chance the Pandects were found at the taking of *Amalfi* in *Italy*, in the War betwixt *Pope Innocent* the second, and *Rogerius* King of *Sicily* and *Naples*, about the year MCXXVII, since which time *Justinian's* Law has revived, flourished, and continues to be indeed the general Law of Christendom, one single Kingdom excepted. Of the Errours committed by the Compilers enough has been said; but withall a Necessity of reducing the Law into narrower bounds, than formerly it was hath been shewed. And considering the loss of the Writings of the Ancients especially, the World is happy that the Collection was made, for so it esteems it self in it, all Nations, as was said, that are governed by Laws, imbracing them as the most exact form of that Nature.

The Risque that *Justinian's* Law ran in the East.

Admired and received in the West at this day.

98. We have now done with the Wars, and also the Laws of *Justinian*. And though from a Man's Actions so much in publick as these were, an indifferent Character might seem easie to be drawn; yet there is a Book which hath done it to our Hands, though the Pourtraiture be very ugly, and the work it self very bad. But it is fathered upon no other Pencil than that of *Procopius*, whose Lines hitherto we have had reason to commend, and it is dressed and presented to the World, with as much advantage as possible, by a very learned hand; we must not be partial, but must open and discover this peice, and then we must be so just withall, as to make Observations upon it, such as it self and other Writings shall suggest; to doe right as near as may be, to truth and Persons.

SECT. III.

The Character of Justinian.

1. IN the first place, where the Writer takes him in hand, and considers him as the Heir Apparent of the Empire, in the days of his Uncle, he pronounces this concerning him, that at length he proved the Authour of so many and so great

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The Authour's general charge against *Justinian.*

great Mischeifs, as never had been heard of in former Ages. That he was prone to invade the Rights and Possessions of other men, and so much to the slaughter of them, that he esteemed it but a trifle to destroy many Myriads, which were not guilty of the least offence. That he never would stick to any thing already determined, but still thirsted after Novelty and Change, and the utter Destruction of whatsoever was excellently constituted. That with the Raging Pestilence, we have formerly described, some men although very few were Infected, and others though seized with it, yet Conquered it's Malignity. But the ill influence of *Justinian's* Government, no *Roman* whatsoever but sadly felt, who being ordained by Heaven for a common Scourge and Plague, none escaped him; some being wickedly Murthered, others constrained to lead a Life made miserable by penury, to whom Death would have been a great kindness, and others deprived both of Fortune and Life together. He thought it not enough to destroy the *Roman* Empire, but would turn his Forces also upon *Africk* and *Italy*, that the Nations there Inhabiting, might also perish with those that were subject to his Command.

In particular.

2. On this fair Text as fairly he Comments by these particular instances, which amongst others he heaps up against this Prince. Scarcely had he been in Power ten days, when *Amantius* cheif of the Eunuches, with others, he commanded to be killed, because they had spoken something sawcily, concerning *John* the Bishop of the City. *Vitalianus* the Tyrant he caused to be put to Death, notwithstanding the publick Faith given for his Security, at the Celebration of the Sacred Mysteries. In the Faction of the Citizens he so far incouraged, or rather excited the *Veneti* to their seditious practices, that thereby the *Roman* Empire seemed to be shaken from its Basis, and the Cities were made desolate, as by the Invasion of some Enemy, some terrible Earthquake, or a Contagious Sickness. Yet these horrible Disorders did nothing so much perplex the minds of good People, as his Carriage in reference to such a Mischeif. For when men suffer never so much from violent or unjust Oppressours, yet still they are comforted with the thoughts of Justice, which they expect from the Hands of Magistrates, and such as ought to demean themselves as maintainers of the Laws. But *Justinian* was so far from giving them any Redress, that he manifestly favoured both by word and deed those Riotous Persons, giving great gifts to some of them, and conferring upon others Offices of Magistracy, and places of Dignity. Therefore this Mischief, like a Gangreen, spread over the whole Empire, not one City being free from the Factions of those two Parties. And as for the Emperour, he never regarded how matters went, nor in the least did such things affect him, as were done under his own Eyes in the *Circus*. For he was unspeakably dull and senseless, most like to a slow and stupid Ass, following which way soever he was drawn by the Bridle, and moving also his Ears when he listed, as that and other Animals are wont to doe.

He caused to be slain *Amantius* and *Vitalianus.*

In the Factions favoured the *Veneti* in an extravagant manner.

3. After he came to manage Affairs upon his own sole Concernment; whereas it should have behoved him to have special regard to his Treasury, he as it were set himself by all means possible to exhaust it. The *Hunnes* and other Barbarous Nations, by bribing them to quit the Territores of the Empire, he irritated and provoked to make more Incursions; for after each Invasion, they still presumed they should not fare worse than they had formerly done. Vast Sums he drowned in the Sea, thinking to give bounds unto that Element, and by great heaps of stones and Rubbish to oppose its natural force and motion. Yet the Estates of Private men he greedily devoured, objecting to some feigned Crimes, and pretending that others had freely bequeathed to him their Fortunes. Most that were guilty of Paricide and other heinous Offences, redeemed their Lives by all they were worth. Such as were at Law with their Neighbours, about any Lands or Possessions, and had no good Title, made it over, such as it was, to the Emperour, whose Relation to it took away presently all flaws. Here our Authour, though contrary to all method and order, cannot dispence with a fancy come into his Head, but must needs compare our Emperour with *Domitian*. First, as to the form and lineaments of his Body. For he was of a middle Stature, indifferently Fat, of a beautifull Countenance, though something long Visaged; his Complexion being Ruddy, after he had fasted two days together. Then as to his Disposition, he was absolutely as ill Conditioned, and as apt to be deceived, being both a Knave and a Fool equally with the other. Yet though he lay exposed to the tricks and artifices of other men, was he the greatest dissembler in the World, speaking nothing but upon design, and his Heart and Tongue never agreing. He was the most perfect in the Art of Dissimulation that ever was man, covering his Deceit, hiding his Indigna-

He exhausts his Treasure.

And is rapacious in recruiting it.

Like to *Domitian.*

He was a Fool,

But very cunning.

* Ὁν δὲ μωρὸν κοῦδὲ κακὸν.

Indignation, and concealing his Resolutions with the greatest craft imaginable. Sect. 3.

4. He could laugh or cry according to the present occasion. His breach of Faith was not single, but accompanied with violation of all sacred Obligations. In his Friendship he was utterly uncertain, and in his Enmity inexorable. Gold and Bloud he equally thirsted after, with a kind of insatiableness. Nothing did he more delight in than Contentions and Innovations. Easily was he perswaded to whatsoever was naught, but to what was good could not be drawn by any motives. In devising and executing what was wicked, he was very subtile and dextrous; but the very Name of Honesty he could not endure. These and very many other vices abounded in him, above the proportion of humane Pravity; for Nature had as it were taken them by parcels from other men, and with them patched up his Disposition. Accusations he readily admitted, and as readily punished. For he never heard a Cause thoroughly, but as soon as the Accuser had done, immediately gave Judgment, and by his rash decrees, ordered the Destruction of Places, the burning of Cities, and Plundring of Nations of whatsoever they had. All these things considered, our Historian doubts not to affirm, that if any one will well consider what Mischeifs formerly happened to the *Romans*, and compare them with the Calamities suffered under this Prince, he will find greater slaughter of men, to have been made by this one man, than in all ages which went before him put together. Then repeats he again, what he had formerly said concerning his spoiling private Persons of their Estates. And that he may finish all in a word, he assures us that this Emperour neither had any money himself, nor suffered his Subjects to have any; as if he did not so much deprive them of what they had out of Covetousness, as envy at their prosperous Condition, for he exhausted and made beggerly the whole Empire. Such was his Disposition and temper, the pretended *Procopius* tells us, as near as he could reach it. Then he comes to his Wife, to describe her Original and Education, and how in Conjunction with such an Husband, she utterly ruined the *Roman* State.

Subtile and dextrous in what was naught.

More Calamities under him than ever before him.

5. At *Constantinople* lived one *Acacius*, whose Calling and Employment it was to feed and look to the Beasts which belonged to the Faction of the *Prasini*, and were wont to be baited on the Amphihteatre, being commonly from the Bears called *Arctotrophus* or *Vrsarius*, as we use to say the Bearward. He dying in the time of *Anastasius* left three Daughters, *Comitona*, *Theodora* and *Anastasia*, whereof the Eldest was scarcely then seven years old. Their Mother married a second Husband, but *Asterius* Master of the *Orchestra*, who by virtue of his Office had the disposal of the Place, sold it to another, and so turned out the Mother, her Husband and Daughters. She being reduced to a great strait, when she saw the People flock thick to the Shews, put Garlands upon the Heads and Hands of her Daughters, thereby presenting them as humble Supplicants. The *Prasini* rejected both them and their Petition; but the *Veneti* at that time wanting a Bearward, readily entertained them. Being thus provided of a Livelyhood, and very handsome, yet their Mother as they grew up, put each of them upon the Stage. *Comitona* the Eldest was accounted one of the eminentest Courtisants of her time, on whom *Theodora* when young waited in Quality and Habit of a Servant, carrying after her on her Shoulders the folding Stool, on which she was wont to sit in the places where Company resorted. But as soon as she came to Womans Estate, she also put her upon the Stage, and she became presently a Strumpet, such as the Ancients called *Planipedes*, pretending neither to Musick, Singing, nor Dancing, but prostituting her self to every one as she had opportunity. After this she Acted with the *Mimicks* or Clowns, all sorts of Farses, being so ready of her Tongue, that she was presently taken notice of, and of such a demeanour, that she more and more attracted the Eyes of the beholders. For she was complaisant throughout, not taking ill any word or gesture how obscene soever; however men behaved themselves to her, she would set up a Laughter, and that was all.

The Original of *Theodora* his Wife.

A Comedianne.

6. Therefore all sober Persons esteemed her no better than a Plague-sore, and whoso ever met her in the morning, accounted it a sign of ill luck. Afterward *Hecebolius* the *Tyrian*, Governour of * *Pentapolis*, carried her down into his Province as his Mistress; but presently taking some Conceit against her, he cast her off again, and so to get Bread she was constrained to prostitute her self as formerly. She first tried her Fortune at *Alexandria*, and thence passing through all the East, returned to *Constantinople*, where she drove such a trade, as no man ought to name who would have Almighty God his Friend; it's certain that the Devils so provided, that no place should be free from her Impure practices, and so she was born and bred as one that was to be the most famous of all Whores, of what Ages soever. Indeed the

Mistress to *Hecebolius*, who cast her off.

* *Eam intelligit quæ est in Ægypto & ab Alexandria decem dierum itinere distat. Ptolem.*

Sect. 3. the Authour of the Antiquity of the City of *Constantinople* writes, that *Theodora*, the Wife of *Justinian*, after her Return from *Paphlagonia*, lived in *Embolus*, where she spun Wool for her living, and after she came to be Empress, built a Church, which she dedicated to St. *Pantaleon*. Now in this part of the City, called *Embolus*, as formerly on the Bank side in *Southwark*, and in the *Lapell* Street at *Antwerp*, lived the most common and poorest sort of Strumpets; therefore is to be found in *Pliny*, *Mulier Embolaria*, concerning which the Criticks have wasted so much paper. For the word *Emboli*, in the plural number, signifies the same with *Porticus* in Latin, from the *Fornices* or Arches of which, Women being called *Fornicariæ*, and consequently the word Fornication coming; so from the *Porticus* or Galleries themselves, in Greek *Emboli*, those Strumpets were also named *Emboliariæ*.

* Ἐμβολοι prater alias ejus vocis acceptiones fuere Porticus Hesychius Milesius in oratione de Constantinopoli mutata.

Byzantii protuliſſe ait uſque ad Τραπεζικὸς Ἐμβόλους, *Porticus Troadenſes vocat Autor Antiquiſſimus Deſcriptionis urbis Conſtantinopolit. Alemann. ad pag. 42.*

Justinian falls in love with her.

Being his Mistress he makes her a Patritian.

7. But *Theodora* had not been very long at *Constantinople*, e'er *Justinian* fell most passionately in love with her. At first he conversed with her as his Mistress, being promoted to the degree of a Patritian, and she so far made use of her time, and his fondness, as to heap up a great deal of Wealth. Yet so long as *Euphemia* the Empress lived, who was otherwise indulgent enough to him, he never could obtain Licence to marry her; but she dying, and *Justin* the Emperour, her Husband, doating, through the extremity of his Age; he who had all the power in his Hands, began to be feared on all sides, and resolved to improve his Interest and Opportunity to the accomplishing of the Marriage. But there was a great rub in the way, which must necessarily be removed. This was an * ancient Law which forbad Men of Senatorian Rank to marry Strumpets, or any other of such base or unlawfull Callings, which by a cross Constitution he caused the Emperour, his Uncle, to repeal, which done, he married *Theodora*, and opened the way for other Persons of Quality, to bestow themselves in such unequal and disparaging Matches. The Constitution is yet extant in the Code, but these four Letters J U S T, being prefixed to it in ancient Manuscripts, gave occasion of mistake to learned men, who therefore have thought it made by *Justinian*, as the Title shews in the very last Edition. But there's no doubt but *Justin* was the Authour; for into the Code have crept several other false Inscriptions, and Subscriptions also, as *Alemannus* shews in many particulars. And there was another Constitution of *Justinian*, of the same subject, quite different from this, containing not onely more Chapters, but also some contrary matter, which though it be not now extant, yet is there the summ and substance of it in a Rescript to the Bishops, written to the same purpose. This Constitution of his Uncle, *Justinian* did not onely confirm, by this Edict, but several other Novels also. And this is observable, that as after several express Laws about the Marriage of Senatours, (as the *Julian*, that of *Constantine* and of *Martianus*,) it was now first heard of in the *Roman* World, that they could marry with base Persons; so in this Constitution of *Justin*, there is onely made mention of Stage-players, such as *Theodora* was, although in that of *Constantine*, antiquated by it, several other * sorts be expresly mentioned.

Having made it lawfull,

* *Rescriptum Constantini ad Gregorium, C. de nat. lib. l. 1. St. & Valentiniani & Maximi ad Palladium, C. de Incest. & Mortil. Nupt. l. 7. C. de Nupt. l. 23. Imp. Justinianus A. Demostheni P. P. C. lib. 5 tit. 4. l. 23.*

Hæc celebris Constitutio quæ olim erat in quinto libro Cod. Hadrianæ hæc Justini diversa, nam illa rescripta fuit ante viri nobilissimi ducis, et civilis Magistratus, hæc vero ad Demosthenem. Deinde ad Matrimonia Scenitarum multorum Hæc explicatio datalia Instrumenta requisivit in illa Justinianus, non autem Imperatoris Rescriptum, in hac vero contra Justinus sanxivit. habes in Justiniani Rescripto ad omnes Episcopos quod Græcè tibi exhibet ex vaticana Bibliotheca Alemannus in Not. ad Arcan. Hist. p. 4.

* *Ancillæ, Libertæ, Scenicæ, Tabernariæ, Lenonum & Arenariorum Filiæ, quæque mercimoniis publicis præsuerint. Alem.*

He marries her.

8. *Justinian* and *Theodora* now married, began their Reign the third day before *Easter*, when it was not lawfull to salute or wish well to any Man. Indeed such was the custome then in the Church, that although in Celebration of Divine Service the Priest prayed for Peace, after the usual manner, yet in memory of the Passion of our Saviour, they abstained from the chearfull Kiss of Peace, and from Salutation. The beginning of their Domination falling out on this day, the Authour accounts it an *Omen* of the Wars, Conspiracies, Plagues, Prodigies and Earthquakes, which fell out in the Reign of *Justinian*, who having it in his Power to make his choice out of the most beautifull, most rich, and every other way most accomplished Women which the whole *Roman* Empire afforded, could fix no where but on one of the most vile and filthy Strumpets in the World, and prefer the Embraces of one defiled with many other Villanies, besides the Murther of many abortive Infants, before the Bed of any chaste and pure Virgin whatsoever. Yet was there not one man that opened his Mouth against so foul an Indignity, not a Senatour, not one Churchman; but such as had formerly seen her act upon the Stage, now,

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now, with Hands lift up, protested themselves her Slaves and Vassals; and the Souldiers vowed, they would, for the sake of *Theodora*, encounter with all Difficulties and Dangers. Indeed she had a lovely Face, and was otherwise also very tempting; She was of little Stature, and had very quick and rowling Eyes. They acted all things with joynt consent, though at first the World believed they were of contrary Inclinations; but this they counterfeited by agreement, the better to conceal and carry on their Designs. Sometimes he would take the part of the *Veneti*, and then she would seem to be against them, and they would complain that they were disrespected by each other. In Law Suits, and matters of Controversie, the one sided with the Plaintiff, and the other with the Defendant, and to be sure he that had the worst Cause carried it, giving ever one half, or more, to gain the other. Many Persons he pretended to favour, and suffered them to pill the Commonwealth at their pleasure, whom she must accuse and prosecute, sore against his Mind, as he pretended, who would seem to take their part, but in the end they must bleed out their Wealth into his Coffers. By these Arts they carried on their work with much ease, and established their Tyranny, so as it was not to be shaken.

They act cunningly, and with design.

Vide Effigium Imaginis illius dum adhuc viveret, apud Alemann. ubi supra, p. 47.

9. Being come to the Administration of Affairs, after his Uncle's death he immediately set himself to overturn the whole frame and posture of all things, as if he had put on the Imperial Ensigns for this very purpose. For, abrogating the ordinary forms of Laws, of Magistracy, and the *Militia*, he brought up new Models of his own Invention, without any shew of Reason, but that every thing might receive a mark from his Name; which also he bestowed upon such things as he could not find a pretence to alter. The vast Treasures which he scraped out of the Ruines of numberless families, he either prodigally spent upon Barbarians, or consumed in extravagant Buildings. Whereas the *Romans* had Peace one with another, he, impatient of Rest, and thirsting after Bloud, set the Barbarians together by the Ears. He gave vast summs to the Captains of the *Hunnes*, to procure Peace and a good Understanding, as he said; but they, like Beggars that had fared well at his door, cried Rost-meat, and sent their Neighbours to speed as they had done, who entring, and wasting the Emperour's Dominions, constrained him to purchase Peace from them at the like rates. Hence came it to pass that there was no end of War, but it was handed, as it were, from one to another, there never wanting Commanders amongst *Hunnes*, *Saracens*, *Sclavi*, *Persians* and other Barbarians, whose mouths were to be stopped as well as those of others, and consequently there was hardly a Mountain or Hole in the *Roman* territories free from Devastations, many Provinces having been five times, or oftner, wasted in his time. Vast Treasures did he employ in purchasing Peace from *Chosroes*, the *Persian* King; but then again, without any reasonable cause, he would break the League, by drawing into a Confederacy of Arms against him *Alamundarus*, the *Hunnes*, and other Associates of that Crown. The Provinces being thus exhausted, and no way replenished, except by great Effusion of Man's Bloud; that he might make the greater spoils, he involved them in farther troubles, upon the Account of Religion.

He abrogates the old, and introduceth new matters.

How he spent his ill gotten money.

Introduceth troubles about Religion.

10. But having filled his Treasury with Confiscations upon this account, and procured the Destruction of more than an hundred thousand Men; he fell upon such as he supposed, or would take for granted, to be guilty of Sodomy. He proceeded against them by making a positive Law, saith our Authour, for that purpose; and indeed there are two several Constitutions of his extant, upon this subject, as *Aleman* observes, whereof one being made upon another occasion, and the other bearing date of the eighteenth year after the Consulship of *Basilius*, there is no doubt but that which was made in the beginning of his Reign, as this *Procopius* hints, and as *Theophanes* plainly tells in his second Year, hath miscarried. The occasion of the severity used against this sort of Offenders, *Theophanes* writes to have been given by two Bishops, *Esaias* of *Rhodes*, and *Alexander* of *Diospolis* in *Thrace*, who being found guilty of this Crime, were put out of their places, and severely punished, having their Members cut off, and then being led through the City, with a Crier before them, making this Proclamation, *All ye that are Bishops, beware that ye dishonour not your Reverend Dignity.* Wherefore, saith he, the Emperour published severe Laws against those libidinous Persons, and many were punished by virtue thereof. These surely are they which this *Procopius* detesteth as severe, and inflicting indecent punishment upon the Offenders. He mentions onely loss of their Genitals, and then exposing to open shame; but *Cedrenus*, and others, farther add, that some were tormented by sharp Reeds, thrust into their privy parts. At first, this Severity was not used towards all, but either such as were of the Faction of the *Prasini*, or were reputed very rich, or were out of the Prince his favour.

Severe against Sodomy.

77, & 141.

Anonym. in chron. apud Alem.

Sect. 3. favour. But herein appeared his Cruelty and Injustice, that when no body prosecuted, and upon the Testimony of one single Witness, sometimes a Boy, and sometimes a Slave, who was compelled to appear against his Master, he would proceed to Sentence and Condemnation.

11. Astrologers he could not endure, and upon this account roughly handled certain Magistrates, whose Employment it was to punish and prevent Roberies. Being ancient Men, sober, and of good Repute, he caused them to be set on Camels, to be contumeliously carried through all the City, and lashed on the Shoulders, for no other Crime but being skilfull in Astrology, and living in the City. For such like Reasons as this, a great multitude of men fled their Countrey, betaking themselves not onely to the neighbouring Barbarians, but to the Nations at greatest distance from the *Roman* World, and in most Cities you might have seen Strangers come from far to hide their Heads, as if their own Dwellings had been wasted by the Incursions of some Enemy. All the wealthier sort of Senatours, whether living at *Constantinople*, or other Cities, he outed of their Estates. There was one *Zeno*, Nephew of that *Anthemius* who was Emperour in the West, and him they named Governour of *Egypt* by design. The Ship, appointed for his Transportation, being laded with his best Moveables, abundance of Money, and vessels of Gold, set with pretious Stones of exceeding great value, the Emperour and his Wife persuaded those that were intrusted with the Treasure, to convey it into a place appointed, and then to set fire to the Ship, which he must be made to believe perished by accident. And not long after *Zeno* dies suddenly, whereupon they seize on all his Estate, producing a certain Testament, which the World verily believed he forged. By virtue of the same trick they made themselves Heirs to *Tatianus*, and others of eminentest note in the Senate. The Estates of some they invaded by counterfeit Letters, and by that means became Heirs to *Dionysius*, that lived in *Libanus*, and to *John* the Son of *Basilius*, the most eminent Man in *Edessa*, who, sore against his mind, was, as we said before, delivered as an Hostage to *Chosroes*. When he had once got him into his Hands, *Chosroes* pretended the Conditions were not performed on the *Roman* part, and refused to set him at liberty without Ransome. This coming to the knowledge of his Grandmother, she sent away two thousand pounds of Silver to redeem him, which being come to *Daras*, into the Emperour's Hands, he forbad any thing to be concluded with the *Persians*, lest, as he said, the Wealth of the *Romans* should inrich the Barbarians. It happens in the mean time, that *John* dies, and then does the Governour of *Daras* produce a Letter, whereby the Deceased made the Emperour Heir of all he had, and signified that to be his last Will and Pleasure.

Against Astrology.

They spoil all the wealthy Senatours of their Estates.

Vide Paragr. 133. hujus cap.

12. But it's hard to say, thus our Authour proceedeth, to how many Men they made themselves Heirs. For before the Sedition of *Nica* happened, they made their choice here and there; but afterward they sold the Goods of the Senatours by heaps, taking out of them what they thought fit, and appropriating to themselves the best Lands; onely out of their abundant Mercy they left some parcels, most obnoxious to Taxes, to the right Owners, who tired with the exactions of the Collectours, and the Importunity of their Creditours, were weary of their miserable Lives. Wherefore to me, and those of my rank, saith this Authour, these two seemed neither Man, nor Woman, but some pernicious, incarnate Divels, ordained for a Plague to Mankind, consulting how to destroy and root out all Nations upon the Face of the Earth, and, like Furies in humane Shape, vexing, disturbing and tormenting the whole World. But he makes them worse than Divels in respect of their wicked Tempers and Dispositions. Many there have been in former Ages, saith he, whom either Nature or Occasion have made very terrible to Mankind, who have been the ruine of Cities, Provinces, and some whole Countries; but none like these could ever turn upside down the Frame of the whole World, to whose Councils Fortune always was subservient, and ever at hand, for the destruction of Mortals; for at the same time such desolation was made by Earthquakes, Plagues and Inundations, that they seemed to have been procured by them, in some extraordinary way, beyond the limits and methods of humane Power. Indeed it's reported, he adds, that *Justinian's* Mother, by some of her most intimate Friends, has been heard to say, that he was neither the Son of *Sabbatius*, her Husband, nor of any other Man living, but that a certain *Dæmon* came and lay with her, whom she onely felt, and could not see, by whose Incubation she presently conceived. Some also of his Chamber, watching by him, have seen in the night a certain *Spectrum*, or *Dæmon*, appear in his likeness.

Make themselves Heirs to many Persons.

The Authour thought them to be Devils incarnate.

13. Another

Several Stories to that purpose of *Justinian*.

13. Another affirmed, that he had seen *Justinian* rise hastily from his Seat, (for he never sate long) and as he walked, his Head suddenly was dissolved into air, the trunk of his Body still keeping in motion, and observing the accustomed methods of walking; which when he admired, and blamed his Eyes for so deceiving him, presently his Head would return to his Body again. Another related how as he stood by *Justinian*, he saw his Face turned instantly into a shapeless piece of Flesh, without the print of any Forehead or Eyes, and then again a resemblance of a Face as speedily returned. Our Authour tells you, he did not see these passages with his own Eyes, but writes those things as were in great seriousness affirmed to be true. Another Report went, that a certain devout Monk, persuaded by some of his Brethren, came to *Constantinople* to plead the cause of the neighbouring Countries, which were very much burthened, contrary to all Law and Equity. Being easily admitted, when he came to the Threshold he still retired back again, which the Eunuch that brought him in, and other by-standers, admiring, asked him seriously what the matter was, and why he went not forward, but he, like a mad Man, in silence returned to his Cell, where being importuned to tell the true Reason, he affirmed, that he saw the Prince of the Divels sitting on a Throne, whom no Man could well desire either to go or speak to. And why may not this Man seem a *Dæmon*, who never did eat, or drink, or sleep, to speak on, but onely tasting of the meat set before him, presently rose from the Table, and spent the night in walking about the Court, being also devilishly inclined to the sin of Leachery?

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And *Justinian* scarcely did ever eat, drink or sleep.

And was leacherous.

14. As for *Theodora*, while she was yet a Player, her Gallants reported, that Spirits were wont to spend a great part of the night in her company. As she returned to *Constantinople* from *Egypt* and *Africk*, being much perplexed with the ill usage she had received from the Hands of *Hecebolius*, one *Macedonia*, a Woman of the same Profession, comforted her, and bad her not despair of better fortune, which would be able to give her great Wealth, and make her a sufficient compensation for her present penury. To this she answered, that as for Wealth she was not at all solicitous, being the last night bidden in a dream to take no thought about it; for when she was come to *Constantinople*, she should be preferred to the Bed of the Prince of the *Dæmons*, or *Genii*, and being by the power of Art once married to him, should be instantly possessed of the greatest Riches the World could afford. These things were credibly reported, and believed by many. But *Justinian*, however otherwise qualified, yet carried himself with great gentleness and affability to all. No man was denied access to his presence, neither would he be offended with any *Indecorum* that happened, either in word or gesture. He never shewed any sense or compassion at the Sufferings and Miseries of his People, yet against such as had offended him would he carry himself with that calmness and evenness of Temper, that with a pleasant look, and a low voice, would he give order for the destruction of an infinite number of innocent Persons, the devastation of Cities, and the setting of their Goods to sale. But in case any one petitioned him in their behalf, or implored his Clemency and Compassion, then would he frown and swell, and pertinaciously adhere to his former Sentence. Such Churchmen as incroached upon their Neighbours, he would protect, esteeming it a choice piece of Piety so to doe. When any such Causes came before him, he thought himself obliged by Religion to give the Victory to such as had got any thing into their hands, though never so unjustly, upon that account. Much of his ill-gotten Goods he gave to Churches, to cover his Crimes with a Veil of Piety, and that they might never any more return to the right Owners.

Stories also of *Theodora*.

Yet *Justinian* was affable,

Except importuned to shew mercy.

Much of ill-gotten Goods he gave to Churches, and why.

15. By this prepostrous sort of Piety, he defiled himself with infinite Murthers. And he laboured with all his might, to bring all men to be of the same Opinion concerning Christ, under which Religious Pretext he deprived many of their Lives, not accounting that Murther, which was acted upon men of a contrary Judgment. He had a mind as light and unstable as dust in the Wind, easie to be drawn to any thing but Humanity, and from any thing but Covetous desires. With flatteries he was much taken, whom he easily believed that he should be taken up into the Air, *Tribonian* his Assessour earnestly affirming that he was in great Fear, lest for his singular Piety he should suddenly be rapt up into Heaven. This piece of flattery or Jeer he firmly believed. If *Theodora* at any time found him averse to any of her Proposals, she had nothing more to doe than to bait her Hook with hope of Profit, and she might lead him whither she pleased. Therefore did he make no difficulty at all, to enact and repeal Laws, if there were any Money to be got by it; neither would he hold the Judges to the meaning and intent of his

Cruel upon the account of Religion.

Tribonian's flattery.

Sect. 3.

own Constitutions. In his time, there was no constant or firm Opinion concerning Almighty God; no Faith nor stable Law, Covenant or any thing else that was constant, Such of his Officers as were cruel in the Execution of his Orders he prized, and hated such as shewed any Humanity, which caused some to make a shew of Naughtiness, who otherwise were Vertuously inclined. He often abstained from meat for two days together, especially in the Holy Week, or that preceding *Easter*, drinking onely a little Water, eating a very few Herbs, and sleeping the space of an hour; the rest of his time he spent in walking. Had he employed his Talent all this while in the Affairs of the Commonwealth, it would have been most happy under him; but using these natural Abilities, and improving his Watchings, Labours and Indeavours, to the disquiet of his Subjects, especially being of a most sharp Wit, to invent and put Mischief in Execution, the natural Parts and Endowments he had proved the Plague of the Commonwealth. There was no incouragement under him, for doing any business. Neither was there any Footstep or shadow of Antiquity. But here saith the Writer of these Accusations, lest I should be tedious, I will explain my meaning in a few things, and pass over the greater part; how truly let the Reader judge.

Nothing stable in Religion, or other matters in his time.

He was of a sharp Wit, to put mischief in Execution.

16. In the first place he neither did any thing, nor cared for any thing which was becoming imperial Majesty, accommodating himself to the Manners and Customs of the Barbarians in his Speech, Habit and Disposition. The Answers which of Course he was to make in writing to any Consultations, he did not commit to the Care and Discretion of the *Quæstor*, as the Custome was, but he himself for the most part spake and pronounced them, although he spake very bad Greek. Many Persons therefore came and required Justice, but had no Judges, before whom they could proceed. The Secretaries, who of old time were intrusted to write things never so private, now would not he admit to any such business; but dispatched all himself, and dictated the very Judgments of the Magistrates of the *Municipia*, allowing to no Body the Liberty of declaring what was Law, but arrogating all things to himself, and deciding Causes upon hearing of one Party. Through this covetous humour of his, oftentimes it came to pass, that he and the Senate made contrary Decrees concerning the same thing; although indeed the Senate now signified nothing at all, onely assembled of Course, because it was an ancient Custome so to doe, having no Power at all to doe Right or Justice to any man, but what the Emperour and Empress before resolved, that ever passing and concluding. If any one doubted of his Cause, for a sum of Money he could procure the Prince to antiquate all former Laws, and make a new Constitution for his very purpose. But if again it happened, that any could receive benefit from the abrogated Law; for the same Cause and Consideration, he could recall it as it were from Banishment, *Tanquam ex postliminio.*

All his Answers in point of Law, he himself dictated without his *Quæstor*.

The Senate signified nothing.

17. The *Referendarii* were hardly permitted to present Petitions according to the Nature of their employment, or to declare their Judgment concerning them, yet making use of the time, and of the disposition of the Emperour, who was apt enough to be deceived, they put false Colours upon things, and Cheating him first, abused also their Clients by false Representations, and squeezed out of them great sums of Money. The *Prætorian* Guards in the Court, forced the Judges to give Sentence as they pleased; so that there was no Order, nor any certain Course or Government, every one acting what he listed in despight of the Laws, and all things being deformed and broken, not so much as their Names intire and safe, so that the Commonwealth at this time resembled a wanton Queen of Children. But the Emperour was perswaded to this Trade of selling Justice by one *Leo* a *Cilician*, a man of insatiable Avarice, and as great Flattery, by whom being instructed in the Mystery he never after left it off; but Couzened as well the Plaintiff as the Defendant. To be sure there was nothing to be obtained by Force of any Law, Promise, Bill, Stipulation or any Contract, but onely by Money given to *Leo* and *Cæsar*. *Theodora*, on the other hand, had a mind so prone to Cruelty, that she seldom acted by direction of any one whomsoever; but with Pride and Violence, did whatever came into her Head. No Prayers, Petitions, or Intreaties could ever stop or allay her Fury. Not onely did she retain, as her Husband did, Malice to the death of the Party, against whom she had once conceived hatred, but trampled and insulted upon their very Ashes, the Children together with the Inheritance, receiving her Indignation and transmitting it to those that came after them. Her Body she had special Care of, though not so much as she desired. Early in the Morning she entred her Bath, wherein having spent considerable time she went to Breakfast, and thence to sleep. At Dinner and Supper she had all plenty and variety of Meats imaginable,

Theodora Prodigiously Cruel.

Sect. 3.

imaginable. She slept both very long and often, and so using all manner of Intemperance, the small time she had to spare she thought to be sufficient for the Government of the *Roman* Empire.

No employment without her.

18. If any sought for employment without addressing themselves to her, they were sure to be dismissed with Disgrace. *Justinian* was by Nature fit for speedy dispatch of business, both by reason of his Watchfulness, the readiness of his Wit, and that easie access to his Person which all men found. But the greatest Nobles were forced to dance attendance, and could get hardly any admittance to the Empress, standing by troops, like Slaves, in an hot and little Lobby, and glad still to stand, lest any mischief should come by their absence. And they stood with their Necks and Shoulders erected, and their Faces bearing out, so to be seen by the Eunuchs which passed out. After many days waiting they were hardly admitted, and that one after another, and these but such and such neither. Being come into her presence, they stood as astonished, and presently withdrew, having first worshipped her, and kissed both her Feet, not daring so much as to speak, much less to ask any thing, except commanded so to doe; to so servile flattery was the Senate it self degenerated, *Theodora* being sovereign Lady of the *Roman* Empire, which now went wholly to wreck, partly through the incredible levity of the Tyrant himself, and partly by reason of her difficult humour, which put a stop to all business. Her manner was, if any, with whom she was offended, were accused of the least Crime, to lay heinous things to their charge, and then calling such Judges as were fit for her purpose, to cause their Estates to be sold, then to have them most cruelly lashed, though they were descended from most noble Ancestours, and after this preparative, either to be banished, or put to death. On the contrary, if such as she favoured were guilty of Murther, or any other heinous Crime, she would sometimes pleasantly, sometimes with indignation, divert their Adversaries from farther prosecution. Such matters as were most grave, and of the deepest consequence, she would turn into ridicule, with laughter and a jest, as if she had still thought her self to be upon the Stage.

Hard of access.

And insufferably arrogant.

19. A certain Patritian there was, both deserving respect for his Age, and the long time he had been employed in Offices of Magistracy. This Man (our Authour tells us he is obliged to conceal his name, lest so great an affront should be transmitted to Posterity) having a Debtour who was a great Confident of *Theodora*'s, and had been often solicited in vain to pay him his Money, he was resolved now to prosecute him, and came to the Empress to beg the favour, that he might be indifferently dealt withall, and as the merits of his Cause might require. *Theodora* having warning of his coming, commanded her Eunuchs to compass him about, to have an Eye upon her self, and to echo out a Song, or company of Verses, which she would sing. The Patritian introduced, as the manner was, cast himself at her Feet, and being ready to weep, told her, that the case of a Patritian, who wanted Money, was very hard, because that thing which to other Men procured pity and compassion, to Persons of his Rank brought Disgrace and Misery. For if a Man of inferiour condition were in debt, he might but reveal his case, and he had some relief; but a Patritian, though he could not pay his debts, yet to confess so much, was a shame, if he did confess it, no body would believe him, it being thought impossible that any Patritian should fall into Poverty, and if so be that credit should be given him, he were ruined in his Fame and Dignity for ever. *Now truly, Madam*, saith he, *I am both in debt, and have others indebted to me; I do not defraud my Creditours, which would tend to the disparagement of Men of my Quality, yet others indeavour to defraud me; wherefore I humbly intreat you would assist me in so just a Cause, and deliver me out of my present troubles.*

20. He making this his Complaint, *Theodora* sung the word Patritian, and then the Chorus of Eunuchs added, *Thou art troubled with a Tumour or Hernia.* He continued still his Complaints, and she perfevered in the same Tune; the Eunuchs keeping time as formerly, wherewith being much troubled he got him home, having according to the Custome done his Obeisance to the insulting Empress. The greater part of the Year she passed in the Emperour's Houses, situate near the City, and upon the Sea; but especially in that called *Heræum*, to the great damage of her Attendants, who following her thither in great multitudes were straitned of Provisions, and exposed to the Inconveniences of passing by Water, of Tempests and the Whale or *Porphyrion*, formerly mentioned. Here it will not be amiss, to let the Reader know, that the Emperours had several Houses of Pleasure near *Constantinople*; as the *Hebdomum*, or *Septimum*, seven miles distant, and not the seventh Region of the City, as some have imagined. Besides this, there were o- *Aleman.*

The Emperour's Houses near *Constantinople*.

Sect. 3. thers which received their Names from their distance to *Constantinople*, *Broia*, *Pegæ*, or Fountains, first beautified by *Justinian*, as the certain *Procopius* writes in another Work. Then *Eria* or Sepulchres, where the Citizens were of old time wont to be buried, for so *Cedrenus* and *Suidas* write; but *Procopius* chuses rather to call the Place by its old Name *Heræum*, which it received from the Chapel of *Juno* there standing. This place, which *Justinian* and *Theodora* chose for their Retirement, was so well furnished with every thing tending to Neatness and Pleasure, that several Poets, as *Agathias* (the Historian also) and *Paul* the Silentiary conceived it a fit object of their Wit. But besides, *Justinian* and *Theodora*, in their first Years were wont for their Pleasure to pass the time at *Chalcedon*, as appears by several Rescripts. And once for the recovery of her Health, she went as far as to the Baths of the *Pythii*; wherever she went or staid, carrying with her a mind implacable towards those, against whom she had conceived any Displeasure, or apprehended the least cause of Jealousie.

Ἡέρια Sepulchr.

Ἡεῖον in pl. Ἡέρεα id est Junonis Templum olim fuit. Alii unclausa ita nuncupata sunt. Vide Alem. Anthol. l. 4. Vide alem.

21. After that *Amalasuntha*, as *Procopius* declares in other Books, had resolved to quit the Government of the *Goths*, and thought of spending her days at *Constantinople*, *Theodora* presently began to bethink her self, that she might possibly have such a Rival, as by the Nobility of her Birth, her Royal Dignity, her singular Beauty, and sharpness of Wit, might so work upon the Levity and Inconstancy of her Husband's humour, as to bring her no small Displeasure, and therefore resolved to prevent her Journey, by sending her farther off, to another World. She persuaded *Justinian* to send *Peter* to her, with such a Message as we formerly mentioned; but having picked him out for the purpose, secretly injoyned him to make her away, promising him great matters if he did it speedily. He overcome with her Temptations passed into *Italy*, and by reasons unknown to others, persuaded *Theodatus* to put her to Death, and was rewarded with the Office of *Magister*, wherewith he received great Power, but with it the Indignation and Hatred of all the World. This Office was that of *Magister divinorum Officiorum*, as appears from two Novel Constitutions, directed to him under that Title. He was born at *Thessalonica* in *Illyrium*, was one of the ordinary Advocates of *Constantinople*, being a Man of singular Prudence, powerfull Eloquence, and excellent Temper, but excessively Covetous. After his return from *Italy*, and his Preferment, he was sent Ambassadour to *Chosroes*. He wrote a Book *De Republica* and an History, the Fragments whereof *Alemannus* saw in the Vatican Library. His Son *Theodorus*, called *Contocheres*, because one of his hands was shorter than the other, was accused of Treason in the thirty fourth year of *Justinian*.

Καὶ ὕστερον αὖθις πέμψας πρὸς αὐτὸν ἐκέλευε δολοφονῆσαι. *Nov.* 123. 127. *Petro Glorioso Magistro Divinorum Officiorum.* *Vide Procop. de bello Goth. l.* 1. *Cassiod. var. lib.* 10. *ep.* 19. *&* *l.* 22. *ep.* 22. *Suidam in voce* Θεόδωρος *&* Ἰωάννης Κοππαγίστης. *De his omnibus vide Alem.*

Theodora procures *Amalasuntha* to be murther'd.

22. There was one *Priscus* Secretary to *Justinian* for his Letters, a *Paphlagonian* born, and of an Humour very well suiting with his Master's Temper, whom he much loved, and doubted not but he was beloved by him again, and by his Favour arrived at great Wealth. But *Theodora* not brooking his high and slighting demeanour, accused him of we know not what to her Husband, which for the present did not take; but not long after, she makes him be carried aboard a Ship, and whither she was pleased to order, there to be shaven, and sore against his mind to be made Priest. *Justinian* in the mean time taking no notice of it, nor, as if he had been seized with a Lethargy, ever asking what was become of him, onely he so far remembred himself as to seize on that small Estate which was left him. *Theophanes*, *Alemannus* tells, in Confirmation of this story writes (and it seems he had it not from *Procopius*) that *Priscus* was made Deacon of *Cyzicum*. And the Reader must know (what otherwise the Course of this History will teach him) that it was an ordinary Practice of the Eastern Emperours, to cause such as to whom they would stop all Access to Worldly Honours, to enter into Orders though quite contrary to their Inclinations. *Theodosius Junior* is the first that's known to have begun this no-way laudable Custome, compelling *Cyrus* the *Præfectus Prætorio*, of whom he had conceived some Jealousie, to be Bishop of *Smyrna*. But after the later Greek Emperours, there were few that did not Practise it toward their Friends, Relations or others. But to pursue the story; there was one *Areobindus* a Barbarian born, but very beautifull, and of *Theodora*'s Ward-robe, against whom, though she was to be thought to be passionately in Love with him, she conceived a deep Displeasure. Having first caused him to be cruelly Whipt, she afterward so disposed of him, as no body ever knew where he was. For whatsoever she would have kept secret, she so terrified her Instruments that they never blabbed it out, being herein more successfull, than ever was any Tyrant living; on the contrary, she had so many, and so faithfull Spies abroad, that nothing could be said or done by her Adversaries that came not to her knowledge. Whom

Causes *Priscus* a Secretary to be shaven and made Priest.

An ill Custome of the Emperours, to shave such as they would not have preferred.

Alem.

Theodora conveyed away Persons, so as they were never heard of.

Whom she had a mind to punish without the Worlds taking notice, she would send for him if he were a Patritian, and she alone would deliver him into the hands of her Officer, who should in the dead of the Night cover his Head, bind him fast and carrying him aboard, Transport him some whither into the utmost bounds of the *Roman* World, where he should languish till either her hard Heart relented, or Death made an end of him, and his Misery both together. Sect. 3.

Her horrible Cruelty against *Bastianus*.

23. *Bastianus* a young Nobleman, of the Faction of the *Prasini*, had spoken some Words of the Empress; and understanding she would be even with him, betook himself to the Church of St. *Michael*. She bade the *Prætor* pull him out thence, and accuse him not of Contumelious Language against her Person, but of Sodomitical Practices. The young man was taken out of the Church by the Magistrate, and cruelly tortured. The multitude at the sight of his tender and beautifull Body made Exclamations, and required he might be dismissed; but this cruel Woman persisted in her Resolution, and causing his Privities to be cut off, destroyed him unheard and uncondemned, and then was his Estate confiscate to the publick Treasury. For if she was in a rage and set upon it, neither the Sanctuaries, nor Laws, nor the Prayers and Intreaties of the whole City could appease her, nor rescue that which she had appointed to Destruction. This farther appeared in the Case of *Diogenes*, a man well beloved and favoured by *Cæsar* himself, as addicted to the Faction of the *Prasini*. But concerning a Displeasure against him, she laid the Crime of Sodomy to his Charge, and endeavoured to suborn two of his own Slaves, both as Accusers and Witnesses against him. But this device not taking, by reason that the Dignity of the man required, that many and eminent Judges appeared upon the Bench, and the Testimony of the Slaves was rendred invalid, for want of Competency of Age, she got one *Theodorus* into her Clutches, a familiar acquaintance of *Diogenes*, and him she attacked both by fair Words and Tortures. For, perceiving she could make nothing of it, she caused a Leather Thong to be tyed about him, from the Forehead to the Ears, and to be twitched so strait together, till she hoped his Eyes would gush out of his Head, yet would not he lye for the matter, and the Judges dismissed the Cause, which had no matter of Proof, to the great Satisfaction of the People, which highly applauded them. What this Woman Practised against *Belisarius*, *Photius*, and *Buzes* has been already shewn. *Callinicus* Prefect of the second *Cilicia*, for putting to Death two of that Countrey, who being of the Faction of the *Veneti* had attempted his Death, and killed his Servant, she caused to be Crucified at their Graves. The Emperour upon the News shed Crocodiles tears, grunted in his Palace, and threatned the Executioners; but so far received Comfort, as to seize on the Estate of the deceased. *Euagrius* makes mention of this Act of Cruelty, and says farther, that the Names of the men were *Paulus* and *Festinus*; whence it appears, that he had not the particulars out of the secret History, as *Hubertus Giphanius* did imagine.

Against *Diogenes*.

Against *Callinicus*.

Lib. 4. *c.* 31. *Alem.*

24. Farther, *Theodora* as if she intended thereby to hide the filthiness of her former Age, set her self to punish all such Women, as prostituted their Bodies. Five hundred common Strumpets or thereabout she sent by Troops beyond the *Bosphorus*, and shut them up in a Monastery, compelling them to lead strict and severe Lives, which some of them not able to bear cast themselves down Headlong in the Night. Two young Widows of the very chief Nobility, pretending they lived incontinently, she compelled to take Husbands out of the very dregs of the People, such as they could not but abominate, though they were of her chusing. They aware of her purpose, fled to the Church of St. *Sophia*, hid themselves in the *Baptisterium* and grasped about the Font: But no Sanctuary was so Sacred as to be inviolable, where her Passions were ingaged. Their Mother to her great Grief was present at the Nuptials, and *Theodora* (though it was a wonder) at last detested what she had done, and to make them some amends got Preferment for both their Husbands. But this proved no Satisfaction to them, their Husbands raging with intolerable Cruelty, against those that were under their Jurisdiction, as I shall hereafter declare saith our Authour; for as for *Theodora*, she had neither Respect to Magistracy, Commonwealth, nor any Office in the State whatsoever, not caring how things went, so she could but have her Will and fulfill her Humour.

She punisheth Strumpets.

Nomen Monasterio fuit Μετάνοια *sive Pœnitentia in quo famina degerent quas anteactæ vitæ pœnituisset. Procopius, lib.* 1. *Ædif. fuse hoc prosequitur laudatis Justiniani & Theodoræ pietatem, ut notat Alem.*

25. Another thing there was, which happened to her whilst she was yet a Player, and must not be forgotten. She proved with Child by one of her Lovers, and as her Custome was endeavoured all manner of ways to procure Abortion; but nothing would doe. Her Gallant perceiving her to be much troubled, that being big she could not follow her whorish Trade as formerly, took all care possible that she should not miscarry, and at last she was brought to Bed of a Boy; which naming

Whilst she was a Strumpet, had a Son named *John*.

Ὀξὺν δὲ αὐτὸν ἐπὶ τῷ γενέσθαι πατὴρ ἀπεμνημόνευσεν, &c. *Alemannus* τὸν αὐτοῦ πατὴρ *vertit maritus male.*

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ming *John*, he carried with him into *Arabia*. Being at the point of Death, he opened to his Son now grown up, the whole matter concerning his Mother, who having buried his Father comes up to *Conſtantinople*; where he tells the ſtory to her Servants, that he might get Admiſſion. They thinking no harm, and rather with joy told her, her Son *John* was come. She fearing the Report might reach her Husband, ſent for him in, and delivered him into the hands of one of her Domeſticks, whom ſhe was wont to employ on ſuch like Errands, who ſo diſpoſed of him, that the wretched Youth was never after heard of, nor no man ever ſaw him ſince her Death. At this time the manners of almoſt all Women were corrupted, with all Impunity and Liberty injuring their Husbands; for when they were accuſed of Adultery, by her means they eſcaped, and their Husbands as a puniſhment of falſe Accuſation were condemned to give them double Dower; ſome were ignominiouſly Whipped, and others impriſoned, and then again ſaw their Beds defiled, by ſuch as were rewarded with Dignities and Employments for ſo doing. For this reaſon moſt Husbands diſſembled the diſhoneſty of the Wives, and leſt they ſhould be diſcovered, gave them all opportunities of playing the Whore.

Whom ſhe ſent away ſo as he was never heard of, and why.

Women Generally corrupted.

26. All matters concerning Marriage, ſhe would have wholly in her Power. The Caſe of *Romans* was now worſe than that of the very worſt Barbarians, who married according to their own Inclinations; but here it was not, who liked her or him, but whom *Theodora* pleaſed to put together. Often did ſhe take away the Bridegroom out of the Arms, if not out of the Bed of the Bride, denying with Choler, that ſhe ever gave her Conſent to the Match. One *Saturninus* ſhe thus uſed, and compelled him to marry the Daughter of one *Chryſomalla*, who had been once a publick Dancer and then a common Strumpet; yet together with *Indara*, another of the ſame Profeſſion, was now taken from the Stage, and the Stews, into the Court to ſit at the Helm of the Commonwealth. But *Saturninus* found his new Wife corrupted, and told a Friend that he perceived he had not married a Maid, which coming to the Ears of *Theodora*, ſhe commanded her Servants to take him up as they uſe to do Boys at School, and Whip him ſoundly for his Tatling, ſhe looking on and as he received the ſtrokes, bidding him beware next time, and learn to keep a good Tongue in his Head. How ſhe puniſhed *John* the *Cappadocian*, we have ſaid, ſaith this *Procopius* in other Books; ſhe did not herein deſire to revenge the Part of the Commonwealth upon him, but onely gratified her private Malice; for the Truth was, he feared not to accuſe her to *Cæſar*, and almoſt had brought her out of his Favour. Now the ſtory of her revenge we muſt here relate out of the firſt Book of *Procopius*, concerning the *Perſian* War; having purpoſely hitherto omitted it, and referred it to this as a more proper place.

The diſpoſers wholly of Marriages.

And ordereth *Saturninus*.

27. The Empreſs of all men living hated this *John* for Plotting againſt her, and accuſing her to *Juſtinian*; and deſired to kill him, but could not, the Emperour ſo much eſteemed him. He knowing her mind, was deadly afraid, ſuſpecting every Night to be murthered by ſome Barbarian in his Bed, ſo that he could not ſleep; but was ſtill peeping out, and ſearching the Entries, though he had about him ſome Thouſands of Lanciers and Targetiers, a thing never uſed by any Prefect. But no ſooner was it day, but again forgetting all fear, both of God and Man, he became a Plague to all *Romans*, frequented Sorcerers, and harkned after impious Southſayings, vainly foretelling to him the imperial Dignity. Of his wicked Courſe of Life, he bated nothing, nor was God in all his Thoughts. If he went to Church, or watched all Night, he obſerved not the Chriſtian Rites; but having on a courſe Garment like a Heathen Prieſt, mumbled all the Night ſome ungodly Spells, to captivate more the Emperour's mind, and to preſerve himſelf from miſchief. To *Beliſarius* he was very harſh, and ſtill Plotted againſt him, becauſe of all men he was moſt Renowned, and he himſelf by all men hated; but *Beliſarius* being to goe for *Perſia*, left his Wife *Antonina* behind him at *Conſtantinople*, where being the ableſt Woman alive to Effect, and bring about hard things, to gratifie the Empreſs ſhe had this Device. *John* had a Daughter, his onely Child, named *Euphemia*, very modeſt, but young, and ſo eaſily caught. Her having by much Soothing, gained to her lure, and having her on a time above in her Chamber, ſhe feigned to lament to her, her own Fortune; ſaying, that *Beliſarius* found the Emperour ungratefull, and in other things accuſing the Government as unjuſt.

She hated *John* the Prefect, and Why.

Though a wicked man.

28. *Euphemia* over-joyed at her Diſcourſe, as troubled with the Government and fear of the Empreſs, told her that they (meaning her Husband and her) were the Cauſes; who having the Power in their hands, would not uſe it. *Antonina* replied, that they were not able to ſtir in the Camp, if ſome in the Court concurred

curred not in the Action, but told her that if her Father would, they might eaſily effect the matter. *Euphemia* promiſed the thing ſhould be done, and departing related the matter to her Father; who pleaſed with it, and conceiving it led the way to the fulfilling of his Prophecies, and the Empire, without any pauſing upon it conſented, willing his Daughter to treat for a meeting the next day, that he might give her his Oath. *Antonina* deſirous to prevent his Suſpicion, ſaid that to give him a meeting now would cauſe a Jealouſie, and hinder all; but ſhe being to follow *Beliſarius*, when ſhe had left *Conſtantinople* and was in her Houſe in the Suburbs, thither he might come to take leave and bring her on her way, where they might confer, and both give an Oath and take it. The Night before ſhe was to begin her Journey he came accordingly, and the Emperour being informed by his Wife of his Attempts to uſurp, ſent thither *Narſes* the *Eunuch*, and *Marcellus*, who commanded the *Palatine* Guards, with many Souldiers, and direction, to ſearch out the buſineſs, and if they found *John* in any Plot to kill him, and ſo return. It was reported, that the Emperour advertiſed of this Courſe of proceeding, ſent to *John* that he ſhould not meet with *Antonina* ſecretly, but he neglected the Advice, it being his fate to be ruined; and about Midnight met *Antonina* under an Hedge, behind which ſhe had placed *Narſes* and *Marcellus*, to hear what was ſaid. There did he in plain Words conſent to the Conſpiracy, and confirmed it with moſt terrible Oaths.

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He aims at the Sovereignty.

29. Then did *Narſes* and *Marcellus* break in upon him, but at the Noiſe, *John*'s Lanciers came preſently in, and he eſcaped and ran to the City. If he had had the Heart to repair preſently to the Emperour, *Procopius* verily believes he had received no harm, but by taking Sanctuary in a Church, he gave full ſcope to the Empreſs to advance her Deſign againſt him. Therefore of a Prefect he was made a private man, and being removed out of that to another Church, ſtanding in a Suburb of *Cyzicum* called *Artace*, was compelled to enter into the Orders of Prieſthood, and named himſelf *Peter*. Yet did he not execute the Function of a Prieſt, leſt it ſhould hinder his promotion to greater Offices, being unwilling to quit his hopes. His Eſtate was Confiſcated, but the Emperour remitted much of it, and was ſtill inclined to ſpare him. And he had opportunity to uſe his pleaſures without Controll, and with moderation to eſteem his Eſtate happy, at which all men repined, that being the wickedeſt Devil in the world, he ſhould thus live happier than he did before. But God would not ſuffer his puniſhment to reſt here, but prepared this greater ſcourge for him. *Euſebius* Biſhop of *Cyzicum* was as harſh a man as *John* himſelf, and was accuſed to the Emperour by the Citizens, but having the better of it, ſome young men way-laid, and killed him in the *Forum*. *John* having great differences with this *Euſebius*, was ſuſpected to be guilty of the Fact, and ſome Senatours being ſent to inquire into it, put him in the common Priſon, and ſtript him naked like a common Thief, who had been ſo powerfull a Prefect, inrolled amongſt the Patritians, and had ſate in the Conſuls Chair, than which dignity none was greater in the *Roman* State. Tearing his Back with many ſtripes, they forced him to reveal his own Life, of the guilt of the Murther there was no great argument, but the Juſtice of God made him ſuffer for abuſing the whole world. Depriving him of all he had, they put him into a Ship naked, ſave that he had on one courſe Coat that coſt not much. Thoſe that had the charge of him, whereſoever the Ship put in, made him beg his Bread, and ſmall monies for his ſubſiſtence; and ſo begging all the way, was he brought to *Antinoë* in *Ægypt*, where in all this Affliction he quitted not his hope of the Empire, but fell to accuſe ſome *Alexandrians*, for Arrears to the Treaſury. Thus much writes *Procopius* concerning this *John*, in the firſt Book of his *Perſian* Hiſtory. In the Secret we are told farther as to *Theodora*, that though ſhe had thus got him into *Ægypt*, yet would ſhe never make an end of perſecuting him, nor of ſuborning witneſſes for that purpoſe. In the fourth year after his Baniſhment, ſhe got into her power two young men of *Cyzicum*, of the Faction of the *Praſini*, and thought to be of their Number that killed *Euſebius*. Upon theſe ſhe ſet both by bad and good Uſage, and one of them out of fear accuſed him of Paricide; but the other though ſo cruelly handled, that he was in danger of Death, refuſed to lye. Being therefore not able to doe any thing more againſt *John* by their Teſtimony, ſhe cut off both their right Hands, becauſe one refuſed to bear falſe witneſs, and leſt her Villany ſhould be revealed by the other, deſiring to keep cloſe thoſe things, which were done publickly in the *Forum*. Thus much concerning *John*.

He is compelled to be Preſt.

Forced to beg his Bread.

30. Next our Authour reſumes his confuſed Declamation againſt *Juſtinian*, ſaying, the miſchiefs brought by him upon Mankind, ſufficiently made him appear

not

Sect. 3. not a man, but a *Dæmon* in humane shape, as he said before. None but God himself was able to give an account of the men destroyed by him, or to assign their Number, no more than that of the Sand. Yet considering all those Countries, which he had made Desolate, and without an Inhabitant; he affirms, two hundred and ten times an hundred thousand men to have perished by his means. To make this out, he gives you that account concerning *Africk* we formerly mentioned, after the Regaining of that Province. And what extravagance he committed in *Africk*, the same he saith was he guilty of in *Italy*, where he spoiled all by the Impositors and Gatherers of Taxes which he sent into that Countrey. Before the *Italian* War, the Dominion of the *Goths* extended from the seats of the *Galls*, as far as the Borders of *Dacia* and the City *Sirmium*. But when the *Roman* Forces were in *Italy*, the *Germans* seized on a great part of the *Gallican* and *Venetian* Territories; and *Sirmium* with the adjoyning Countrey, was possessed by the *Gepidæ*. All this Tract of ground, saith he, is utterly unpeopled, partly by War, partly by the Plague and other Diseases incident to Armies. *Illyricum*, all *Thrace*, together with *Greece*, the *Chersonesus* and all the Regions lying from the Bay of the *Ionian* Sea, as far as the Suburbs of *Constantinople*, after that *Justinian* came to the Government, were depopulated by the Incursions of *Hunnes*, *Sclaheni* and *Antæ*, so that I believe above two hundred thousand *Romans* either perished by those Irruptions, or were led away Captive, and the places appear like the Desarts of *Scythia*. Besides, all this while, the *Saracens* in the East harassed all from *Ægypt*, as far as the borders of *Persia*, so that in this space of ground men are very thin, and the slain cannot possibly be numbred. Three times have *Chosroes* and the *Persians* invaded the Empire, and made the Provinces thereof Desolate, but in the time they entred *Colchos*, as well the *Lazians* as *Romans* and other Nations received much Damage, for neither did the *Persians*, nor *Saracens*, nor *Hunnes*, nor *Sclabeni*, nor other Barbarians, carry home their Armies again intire as they brought them. So that not onely *Romans* but Barbarians also, felt the effect of the bloudy fury of this Emperour *Justinian*.

Vast numbers of men destroyed by means of *Justinian*.

And vast Regions depopulated.

31. *Chosroes* indeed, as was said in a more proper place, was a man of a naughty Disposition; but *Justinian* perpetually gave the occasion and kindled the Wars. For in doing business, he never had respect to time or place, but did all things unseasonably. In the time of Peace and Truce, he would give matter of Jealousie to his Neighbours; War being denounced, he would fall back again, and out of Covetousness make slow Preparations. Instead of those matters proper to his Sphere, he buried his head with things transcending his Capacity, too curiously searching and prying into the Nature of Almighty God. His Cruel and Tyrannical disposition still ingaged him in War, and his Covetousness in preparations hindered him from success. During his Reign therefore, the whole world as it were swam with the bloud both of Barbarians and *Romans*. For not onely did the Wars procure the Destruction of Mankind, but those desperate Factions of the *Veneti* and *Prasini* which raged for two and thirty years, to the time that the Authour wrote this Treatise. Neither did the Empire shed less bloud upon the account of the *Samaritans* and Hereticks, who were put to Death. Such were the mischiefs which happened to Mankind, this man or *Dæmon* being Emperour and Authour thereof. These Evils that follow, he effected by a certain secret power and Demoniacal Nature, some ascribing them to the mischievous *Genius* or *Dæmon* which accompanied him, though others to the Divine Power which was angry with the *Roman* Empire. The River *Scirtus* running by the City of *Edessa*, overflowed and much indamaged the Inhabitants. The *Nile* also did such mischief to the *Ægyptians*, as we have formerly related. The River *Cydnus* rose to such an height, that the City *Tarsus* continued many days in water. *Antioch* the principal City of the East, *Seleucia* its Neighbour and famous *Anazarbus* in *Cilicia*, were overturned by Earthquakes, and the Ruine and miseries of the Citizens who is able to relate?

He causeth overflowing of Rivers.

32. Besides, at this time *Ibera*, *Amasia* the cheif City of *Pontus*, *Polybotus* in *Phrygia*, *Philomida* in *Pisidia*, *Lychnidus* in *Epirus*, and *Corinth* all populous and flourishing Cities were destroyed together with almost all their Inhabitants. Then happened that dreadfull Pestilence, which consumed well nigh half of those men that out lived the former Calamities. But to speak more concerning the exactions and oppressions of *Justinian*. His Uncle, when he came to the Government, found the Treasury very full. For, *Anastasius* the most provident of all Emperours, fearing that his Successour might burthen the People, had by this supply as he thought prevented that Inconvenience. All this did *Justinian* presently consume, partly upon fortifications of Banks and Havens, partly in gaining the friendship and Alliance

His lavishments. Alliance of the Barbarians. He wasted so much money, as it hardly could be imagined, that any the most dissolute Nephew of an Emperour could make an end of in an hundred years time. For, the Officers of the Revenue affirmed, that in the space of about twenty seven years, so long as *Anastasius* lived, were laid up in Bank, three hundred and twenty thousand pounds of Gold, of which he left not a farthing before his Uncle *Justin* Died. Now what horrid courses he took to supply the want and Debts he contracted is impossible to be related; the Wealth of his Subjects being all swallowed up by him, which he presently vomited forth upon Barbarians. Such as were Rich, he caused to be accused of feigned Crimes, as Paganism, Heresie, Sodomy, Incest, Sedition, adhering to the Faction of the *Prasini*, or Treason, and seized on all they had. Sect. 3.

His Courses to get money.

33. There were other courses he took to get money. He invented a sort of Magistrate, which at certain Rates should give licence to sell such and such Wares. And there the People was compelled to buy, though three times dearer than formerly; neither was there any remedy to be had for any exactions, part of the profit coming to the Emperour's Coffers, and part to the purse of the Magistrate. He set up many Monopolies. And whereas the Prefect (*a*) of the City, had anciently sole authority to examine and Judge Malefactours, he made other two Officers, that he might have more Accusations, and consequently greater opportunity of seizing the Estates of innocent Persons. One of these he named *Prætor* (b) *Plebis*, who was to prevent and punish Roberies. The *Romans* called him *Præfectus vigilum*, and the Greeks Νυκτέπαρχον, and before the time of *Justinian*, this Office was performed by the *Vicomagistri* and *Collegiati*, who had the care of the several Regions of the City, having received their Institution from *Augustus Cæsar*. The other he called *Quæstor* (not *Quæstor*, as some (*c*) eminent Lawyers have mistaken it;) to whom was committed the Cognisance of Sodomy, Whoredom, Heresie and Superstition. The *Prætor* daily brought stoln Goods to the Emperour, pretending there was none that owned them. The *Quæstor* proceeded without examination of the Cause be it what it would, and Condemned the Parties unheard, whose Estates and Fortunes were then presently confiscated to the use of *Cæsar*. Thus this wicked man committed to those two, and the Prefect of the City, all Cauies without any Discrimination, commanding them to destroy as many men, and as soon as possible, and to strive who should doe most. Being asked whose Sentence should stand, in case the matter should come before all three; he answered His, who should give Judgement before his Fellows.

(*a*) *Est in Græco ὁ τῆς Πόλεως ἔπαρχος. Magistratus Plebi præfectus. Quod vero in urbe quæstionem haberet Justinianus vocat in Novel.* 13. πολιτάρχαν, *eadem ratione alii πολίτας;) De hujus Magistratûs Institutione vide Novel.* 13.

(*b*) *Justinianus ibid. Ἔπαρχον τῆς πλεβὸς. Sic postea distinguitur ab ἐπάρχῳ πόλεως quasi melior. Saepissime per excellentiam à bonis Authoribus vocatur ὕπαρχος.*

(*c*) *Antonius Augustinus ad Novel.* 80. *& Cujacius, sed ipse Justinianus rem evincit, Novel.* 80. *Vide Aleman. in Notis pag.* 3. *de his rebus, quas observant.*

His Questours.

34. The Questorship of which all good Emperours had ever a mighty care, to place learned and honest men in this Office, which had so great influence into the State, he exceedingly abused. His first *Quæstor* was *Tribonianus*, of whom much has been already spoken. He being Dead (about the twenty first year of *Justinian*,) and part of his Estate confiscated, though he left a Son and many Grandchildren, *Junilus Apher* succeeded him, a man to whom the Laws were not as much as known by hearsay, that never was matriculated amongst the Gown-men; and though he understood Latine, yet never learnt Greek, which he so odly pronounced, as his Servants could not forbear laughing. So Griping and Covetous, that he set the Emperour's Letters publickly to Sale, and for a Golden Stater would doe any thing. He dying after he had disgraced his Employment seven years, *Constantinus* procured it, one not unskilfull in the Laws, but very young, that had never practised at the Bar, and the most thievish and arrogant of all men. But to *Justinian* he was most dear, being the Prefect of his Rapines and his Judge, by which means he got abundance of money. The *Præfectus Prætorio* besides the usual Revenue paid into the Treasury above three * thousand pounds of Gold every year, without any Law or Custome, but as if it came out of the Air, which made him call it *Aereum*, as our Authour believes, whereas he ought rather to have named it the work of his own Dishonesty. By this and other means, those that in his time obtained this Dignity, grew on a sudden to vast Wealth, which he permitted, till being swoln so much as they were ready to burst, he could then give it a vent, and let it all run

Principia πρὸ τοῦ esse sive assessorem possint vocari Procopius, qui quod ex legum præscripto faciendum esset Principem moneret. Eum primus sic vocavit Constantinus fidei Zenonis, apud Spartianum in Hadriani mentio fit de quodam qui quæsturam gerens orationem imperatoris in Senatu agrestius pronunciavit, unde Βασιλικὸς dicebatur.

Alii sunt Quæstores urbani & castrensis ararii Præfecti. Sunt & minorum Magistratuum Quæstores & magistri, ut Proconsulis Cappadocia, concilii Iauriæ, Prætorii Pisidiæ, & aliorum in Novellis. Procopius ipse Bolisarii fuit. Alem.

* *Portasse hoc est tributi genus illud quod jam olim abolitum revocavit deinde Michael Paphlago Imperator, de quo videndus Cedrenus ut Alemannus innuit.*

Sect. 3. into his own Coffers. † But out of this Number are to be excepted *Phocas*, and *Bassus* his Successour, men of too good Conscience to keep their Office any considerable time.

† *Nomina Praefecturum hujus temporis diligenter conquisita & ad notas Cassiodori gesta proponit tibi Alemannus, in Not. p. 95. Illorum certa notitia multam & huic historiæ lucem affert & Justiniani Constitutionibus, quæ nonnullarum tum ejus tum Justini falsæ Inscriptiones observantur.*

35. So dealt he with all the Magistrates of *Constantinople*. Throughout other Cities he sold Offices and Employments to the worst of men, and having received his money, delivered into their hands the Provinces to be handled at their pleasure. They stood in no fear of the Laws, but hoped to get greater Glory by the Immanity of their Slaughters and Rapines. He had made a Law, that Magistrates when they entred their Offices or Provinces, should take an Oath that they would not be Rapacious, nor give nor take any thing for, or by virtue of, their Places, who so did they used great Imprecations against them. But scarcely had one year passed from the making of this Law, but he forgetting, at least neglecting both his own Decree, the Imprecations and all Modesty, not obscurely, but openly in the *Forum*, and with the greatest Impudence imaginable, sold Dignities, to such as with greater licentiousness than ever offered money for them, not considering how they could dispence with the Oath. The Law here mentioned by this Writer is his eighth Novel, in publishing whereof he much applauds himself, ordering it to be exposed to view in the Feast of *Easter*, as a most gratefull object of the Peoples Eyes, and to be cut in stone to remain in the Walks of the Churches, as a perpetual monument. The Copy of it he will have kept amongst the Vestments of Churches, and excites all People to give thanks for it to Almighty God, adding a Reproof of his Predecessours, for their solicitude about money in this Affair; whereas *Theodosius* made a Law concerning this very matter, and so did *Martianus* as some do testify, and *Anastasius* also practised the very same thing, conferring these Offices *gratis* which had been formerly wont to be exposed to Sale. But as for the Oath, the forme of it is expressed in the said Novel concluding thus: *Which if I do not observe, may I receive both here and hereafter, the terrible Judgment of the Great Lord God and our Saviour Jesus Christ, and let me have part with Judas, the Leprosie of Giezi and the trembling of Cain.*

He sold Offices contrary to his own Law.

Theodorus Lector. Vide Alemann. quo supra.

36. Another thing *Justinian* devised, which is almost impossible to be believed. He grew weary of selling the chiefest Offices about *Constantinople* and other places, and hired certain Fellows to discharge them, who receiving certain wages, all the Profits should redound to the Emperour. This he held as his greatest Maxim, to confer Offices on as great Knaves as himself, and so it happened, that seldom or never came better, but those that succeeded were far worse than their Predecessours. It often happened, that the *Hunnes* invading the *Roman* Territories, instead of being beaten back as they easily might have been, were Courted and sent away with rich presents, and the Title of Allies, besides the Booty they had gotten; and such Countreymen as could not endure to see their Goods taken away, and their Wives and Children led Captives, but pursued them, and seized upon their Carriage-Beasts, that they might have wherewith to redeem their own, were cruelly beaten and wounded, and constrained to make Restitution to the Barbarians of what they had taken from them. After the fall of *John* the *Cappadocian*, *Justinian* and *Theodora* were at a loss to find a man fit enough for their purpose to succeed him, and in the mean time employed (a) *Theodotus* who was none of the best, but not so bad as fully to comply with their humour. At last, having in their thoughts observed all men, and searched all Corners, they met with one (b) *Peter* a *Syrian* by birth, sirnamed *Barsames* the *Numularius*, who sitting at the Receit of money, often by the lightness of his Fingers, cheated the Collectours at their Payments, and that with such Industry and Impudence, that he would face them down, and outswear them when he was caught, and boldly ascribe it as an accident to a mistake, excusing the fault of his Fingers, by more than a slip of his Tongue. But the Ladder by which he ascended to this Dignity, was his egregious flattery of *Theodora*, and being her Instrument in the execution of her wicked Designs.

Hires men to execute Offices.

(a) *Ad Theodotum extant aliquot Justiniani Novellæ ante 112. de Episcopis & ad huic proximæ quæ datæ sunt Justo Aug. Ann. 15. Basilio V.C. Cos. eodem scil. quo Joannes in exilium pulsus est qui fuit decimus ejus præfecturæ Alem.*

(b) *Ad Petrum plurima Justiniani Rescripta habemus. Bis Præfectum Prætorio, bis Comitem largitionum fuisse diversi Novellarum tituli demonstrant. Præfecturam Asiæ vii exercuit administrasse paulo post Procopius commemorat. Veterem Ecclesiam Sancti Petri ædificavit ut ex marmore, C. P. descr. Alemann. p. 59.*

Peter a knavish Prefect.

37. For a proof of his future deportment, he endeavoured to defraud the Souldiers of their Pay, and more shamefully than ever, exposed the places of Trust and Dignity to Sale, abating something in the price to those who would undertake any impious

impious or unconscionable Employment. To the Lust of these Creatures he exposed the Lives and Fortunes of the Provincials, and the Bargain being once made, they were sent down under the Name of Collectours, to tear in pieces the Bowels of the poor People, and to rage with implacable cruelty against them, that they might have wherewithall first to reimburse themselves, and then to spend upon their Lusts, or heap up Treasure for the occasions of *Cæsar*, when he should be pleased to call. But, not onely he, but the Prefects before him, and all other Officers under this Tyrant, employed under them the greatest Knaves they could procure. It hapned that the greatest part of the Corn that was brought to *Constantinople*, was putrified and naught; yet this did he compell the Cities of the *East* to purchase at dearer rates than they were wont to buy that which was good, and the Citizens having it delivered, after the payment of their Money, cast it either into the Sea, or the Sinks and Chanels. That which was good, and kept up in great quantities at *Constantinople*, he sold to such places as were in want, for double the Tribute which was imposed upon the Corn Countries. When a lesser Fleet than usual arrived, he caused Corn to be brought by the Husbandmen themselves out of *Bithynia*, *Phrygia* and *Thrace*, and constrained them to accept so mean and inconsiderable prices, that they had better have given away the Corn, and paid double as much as it was worth to boot. This burthen was known by the Name of *Annona*. But so much Corn as this way was imported, not answering the Necessities of the City, great Complaints were made to the Emperour against *Peter*, and he purposed to deprive him of his Office, and more, understanding that he was grown very wealthy; till *Theodora*, his Wife, took him off, being exceedingly enamoured of *Peter* for his Charms and magical Tricks, whereby, as was reported, she wrought more upon *Justinian*, than by any other means. And he was very easie thus to be wrought upon, for Reasons formerly mentioned, which this Authour here again repeats, to the trouble and distaste of his Reader, who cannot but be wearied with his endless Tautologies, and confused Allegations.

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38. Yet did the Emperour at length, and with much difficulty, remove *Peter* from his Pretorian Prefectship; but then set him over the Treasury, through the importunity of *Theodora*, having put out of that Employment one *John*, a Man of great Integrity, whom the People much esteemed upon this account. *Peter* being placed in his new Power, caused as much mischief as ever, making away the Money which was assigned to many uses, so that those concerned in it were ready to starve, which, so long as the Prince had what belonged to him, and the Treasurer could but fill his own Coffers, was never regarded. The Coin also he caused to be made less than formerly. Farther, whereas it was a very ancient Custome for the Emperours to remit the small Remainders of publick Taxes, left such as were not able to pay, should be oppressed, and opportunity given to the Collectours to exact more than was due. *Justinian*, in the space of thirty two years, never vouchsafed his Subjects such a grace and favour, which, as it destroyed the poor, so such as were as yet able to pay, being never at rest, and not so much grieving to pay new Levies, as fearing to be unjustly persecuted for pretended Arrears of vast long continuance, chose rather to forsake their Grounds. Notwithstanding all the Havock that was made in a great part of *Asia*, by the *Persians* and *Saracens*, and in *Europe*, by the Inrodes of the *Hunnes*, *Sclaveni*, and the *Gothick* War, the Inhabitants being reduced to the greatest extremity, yet would he remit nothing to them of the ancient Impositions, except to those that dwelt in Cities taken by the Enemy, and that but onely for a year.

He is removed, and set over the Treasury.

Justinian never remits Arrears.

39. And yet had he, as *Anastasius* formerly did (he means to the Citizens of *Amida*) remitted all publick payments for seven years, he had done little in respect of the great Calamities they underwent; for *Cabades* retired, leaving Houses, and Churches, and all standing and intire, whereas *Chosroes* wasted all before him with Fire and Sword. But the miserable People found *Justinian* worse than the Barbarians themselves; for no sooner was the Enemy gone, but he would come with his *Annona*, and his Decrees of Impositions and Taxes, after this manner. The Possessours of Lands were, according to their proportion, to find Provisions for the *Roman* Souldiers at a certain Rate, and such as had not of their own, both for Man and Horse, were forced to buy, and fetch out of other Countries, and satisfie the *Optiones*, (Officers of the Army so called) who often were very unreasonable in their exactions: This was the *Annona*. This Imposition was a sudden and unexpected Plague,

He imposeth the Annona.

De Optionibus exercitus vide Novellam 130. Distinguendi sunt ab Optionibus Fisci, & ab Optionibus Domesticis quorum ex Procopii, lib. 1. Belli Vandal. antea mentionem fecimus. Optionibus qui Annonam militibus engabant κάπτα ἢ ἀναγκαῖα μαῖζα, quintam decimam partem constituit Justinianus, ut est in Novella 130. Alem.

Sect. 3. falling on the Possessours of Lands, whom it deprived utterly, as it were, of all hope of Life. For on the grounds whose Owners or Tillers were slain, or had fled their Countrey, and now were desolate, and over-grown with Weeds, *Justinian* was so mercifull as to lay it. The Descriptions or Taxes were laid also upon the Countrey, for repairing those Cities that were spoiled or wasted by the accidents of War, the Causes and Events whereof, our Authour tells us, it would be infinite in this place to describe. But the mischief staid not here. For the Pestilence having consumed the Husbandmen, and Owners of the Lands which lay untilled and out of order, the Tax thereto belonging was exacted of the next Neighbours, who were also forced to lodge and entertain the Souldier in the best Rooms and Appartments they had, while they themselves must be content to thrust their Heads into any hole or corner.

40. But forasmuch as mention is made of Houses and Lodgings, our Authour esteems it a thing not to be past by in silence, that sometimes no fewer than seventy Thousand Barbarians have been quartered at *Constantinople*, in receiving and lodging of whom the Citizens have been extraordinarily straitned. Neither is to be past over what *Justinian* did against Souldiers. He set over them certain Officers, named *Censitores*, or, as in Greek they called them, *Logothetæ*, who were empowered to fleece them of as much Money as possible, of which, for their pains, they were to have the twelfth part. And whereas by Custome, and the Laws of the Camp, all Souldiers had not equal pay, but those newly listed had less, those of a middle standing more, and the *Veterani*, or old Souldiers, greatest of all, that after their Mission they might have something to live on, and reap some fruit of all their labours, now it was so ordered, that when the *Emeriti* went out, others that were next them did not succeed, nor were admitted to their Privileges, as the manner had been; but the *Censitores* forbad the Names of such as were slain to be omitted in the Roll, or any new Rolls to be made. Hence it came to pass that the Armies were exceedingly lessened, and the Souldiers utterly discouraged, the Emperour treasuring up that Money, which they of course ought to have received as an augmentation of their Wages. Several other ways were the Military Men injured, and reduced to that meanness, that the Name of *Grecian* became dishonourable, as if *Greece* brought not forth any stout or valiant Man. Here by *Greeks* he seems to mean all that spoke that Language. And the Reader may take notice, that now in *Justinian*'s time the *Roman* Empire began to be called the Empire of the *Greeks* by the *Romans* themselves, who stomached at, and disdained the Domination and Pride of that People.

He oppresseth Souldiers by the *Censitores*.

Λογοθέτας ἐγγρ. νίζοντες ἐ τῶν ταίτης κελεύει Ῥωμαίοις. Eum qui publicarum Rationum curam gerit Logothetam Græco vocabulo Romani vocant. Procop. bell. Goth. l. 3. Alem.

41. Some Souldiers were cashiered, as being listed without any order from the Prince, the Commissions of others were laid to be counterfeit, others were blamed for being from their colours, and certain Searchers were sent into all the Provinces, to see what Souldiers were unfit for War. Some Aged Men, who deserved good rewards for all their time and strength spent in service, were turned out, and forced to beg their Bread openly in the *Forum* of Religious Persons, affording a lamentable Spectacle to all that passed by. Others, to save themselves, were constrained to bribe the Searchers, and so was the Souldier weakned, and destitute of Necessaries, and so much aliened in his Mind from his Employment, that the *Roman* Affairs generally all over, but especially in *Italy*, were much indamaged. *Alexander*, whom we said formerly to have been nicknamed *Forficula*, being the great Instrument of this Oppression, laid many frivolous things to the charge of the Souldiers in *Italy*, and the Inhabitants themselves he fleeced of great store of Wealth, under pretence of revenging the Injuries offered by *Theodorick* and the *Goths*. In times past the Emperours were wont to place certain Bands and Companies of Souldiers upon the Frontiers and Limits, who were thence called *Limitanei*, especially in the Eastern parts, to prevent the Inrodes of the *Persians* and *Saracens*. These *Justinian* presently so slighted, and neglected, that their four or five years pay was shuffled off by the Questors, and whereas during the Truce betwixt the *Romans* and *Persians*, they ought to have enjoyed the benefit of the Cessation, with their whole Wages, *Justinian* most injuriously disbanded them, by the same Fact exposing the Souldiers to penury and begging, and the Frontiers to the insolence of Invaders. The Emperour's Court in former times was wont to be guarded by Three thousand five hundred Men, whom they called *Scholarii*, who had more pay than other

He cheats the *Scholarii*.

Quasi σχολάζοντες, bellis ab opere vacantes & feriatos milites.

Horum in Palatio uti munia diversa, ita & nomina. Alii stipendia merebantur, alii Codicillares. Horum ordines modo appellantur Officia, unde eorum Præfectus Magister Officiorum vocatur, & à Græcis, μάγιστρος τῶν ἐν παλατίῳ τάξεων: modò Scholæ, σχολαὶ, atque inde σχολάριοι. Vide quæ ex Agathia transcripsimus suprà hujus Cap. Paragr. 234.

Men,

Men, in duty, and were wont to be chosen out of the most ancient and stout Souldiers of the *Armenians*. But in the time of *Zeno*, any one was in a capacity to compass this Employment, even Scullions themselves, if they brought but money. When *Justin* was Emperour, *Justinian* his Nephew, for great summs of Money paid him, filled up the Rolls, and to the former number added almost Two thousand more, who were called *Supernumeraries*. These, as soon as he came to the Government, he disbanded, every one, and kept their Money to himself. Sect. 3.

42. When there was an Expedition to be made into *Africk*, *Italy* or *Persia*, orders were given out to these Men, though utterly unfit, to march as well as to others. They then must buy off their Service, and be content to be fleeced by *Peter*, the *Magister Officiorum*, and the Murtherer of *Amalasuntha*, a Man of a mild and calm temper, but to be reckoned with the inferiour sort of covetous and rapacious Persons. In the Emperour's Court there were other Souldiers, as they were termed, of an higher Rank, who purchasing their places at a greater rate, had answerably greater Salaries allowed them. These they called Protectours, and Domesticks, having no skill in matters belonging to War, but serving to set out the grandeur of the Palace; some of them lay in *Constantinople*, and others quartered in *Galatia*, or other Provinces. By the same tricks *Justinian* frighted these men, and made them quit their pretensions to their stipends. There was an ancient and most certain Law and Custome, that every five Years the Emperours should give a Donative to the Souldiers, for which purpose every fifth Year the Questors were sent about, and paid to every Man five golden Staters. But after *Justinian* came to the Government, he quite abolished the Custome, insomuch, that in the thirty second Year of his Reign, the time when *Procopius* is pretended to have written this Secret History, it was almost quite forgotten. Farther, whereas in all Employments, either under the Prince or Magistrates, Men arose by degrees, and succeeded each other, till those that formerly were of the lowest, at length arrived at the highest Rank, and such as were come to this pitch of Honour, had large allowance, as a reward of their former diligence, amounting to above Ten thousand pounds of Gold yearly; he took this allowance away, reducing them to want and misery, as he did all other mortals. So did this Tyrant vex and disquiet these sorts of Men. Now I come to shew, saith our Authour, what he did against Merchants, Mariners, Artificers, Men relating to the Law, and other sorts of People.

As also the Protectours and Domesticks.

43. There are two Straits lying upon each shore of *Constantinople*, the one of the *Hellespont*, betwixt *Sestus* and *Abydus*, and the other at the mouth of the *Euxine* Sea, where there stood a Church, consecrated to the Mother of God. In the *Hellespont* the Emperours permitted no Publicans to receive Toll or Custome, but had their *Prætor* at *Abydus*, who watched all Merchandise carried into the Port of *Byzantium*, and such as set sail thence without licence of the Officer appointed to grant Pass-ports. This *Prætor* could not demand any thing of the Mariners. But *Justinian* placed Publicans upon both the Straits, and two hired Officers, who were commanded to have a strict Watch, and raise as much money as possibly they could by way of Custome. At the Haven of *Constantinople* he appointed a certain *Syrian*, called *Addæus*, one of his Creatures, to raise as much as he could out of imported Wares, and he permitted not such as came in to return out of the Haven, but constrained the Mariners either to carry goods into *Italy* or *Africk*, or pay for the freights to others, that were hired, which burthen some, that they might shun, set fire to their Vessels, and went their ways. Merchants by this means were constrained to pay three times as much as usual for Transportation of their goods, and to make themselves favers, raised the prices of every Commodity, so that it became a publick grievance and a burthen to all the People.

How he oppressed Merchants.

Hoc dictum est ab omnibus pene Scriptoribus Ecclesiasticis Templum in Blachernis, de quo nomine inter Græcos minimè convenit. Vide Alemann. ad Procop. Arcan. Hist. p. 15.

44. Formerly the *Numularii*, or Money-Changers, were wont for every Stater of Gold to give two hundred and ten *Obuli* or *Pholes*. But *Justinian* conceiving it would make for his profit, brought down the Exchange to an hundred and eighty, so that the subject lost the sixth part of the value of every golden Stater. Having laid a Monopoly upon every thing but wearing Apparel, at last he devised a way to reduce such as dealt therein to an equal condition with their fellows. In times past the Manufacture of Silks was confined to two Cities of *Phœnicia*, *Berytus* and *Tyre*, whence they were transported all the World over. Now the Merchants at *Byzantium*, and other Cities, who traded in this Commodity, raised the price, pretending that they paid more than formerly had been usual in *Persia*, and were burthened with the tenth part in the *Roman* Territories. He therefore made a Law, that a pound of Silk should be sold for eight *Aurei*, under pein of Confiscation of Goods, to any one that should offend against it; which burthen the Merchants

Sect. 3. chants not able, or not willing, to bear, gave over the Trade, and what remained of their Wares, passed away privately, and by stealth; of which *Theodora* getting an inkling, made them pay her down an hundred pounds of Gold, and besides that, to lose their Goods. Afterward this Manufacture was assigned to *Peter Barsama*, the Emperour's Treasurer, who exercised all Villany in this, as other things under his Hands. All other Artificers, but such as he constrained to work for himself, he plagued by execution of the lately mentioned Law. And not by stealth or privately, but publickly, in the *Forum*, did he sell an ounce of that Silk, which was dyed with a more ordinary colour, for six *Aurei*, and that which had the Royal dye, which they called *Holoverum*, for above four and twenty, whereby he got great Wealth for the Emperour, and more for himself.

Ergo Holoserum tinctura Serici & color ejus non Sericum, ut ad hanc diem multi existimarunt ignorantes nihilque rationis id assequere conati sunt, inquit Alemannus.

45. By this means multitudes were undone, and all the Artificers of *Tyre* and *Berytus*, who had lived upon this Manufacture, were either compelled to starve, or to beg their Bread; and some of them fled into *Persia*. Here it will not be amiss to add what *Alemannus* hinteth, that Silk had been much dearer in former times, than when it was thus sold by *Peter*. For, as *Vopiscus* writes in the Life of *Aurelian*, Gold and Silk, in the days of that Emperour, were exchanged weight for weight, (as was once *Verina* Tobacco here for Silver) *viz.* a pound for a pound, as the *Rhodian* Law also witnesseth. Now if a pound of Silk was sold for a pound of Gold, a pound of Silk must have been worth an hundred *Aurei*, from which if you subtract eight and twenty, seventy two will remain, for which a pound was sold in those days of *Peter*; for so you must reckon, if with this Authour you set every ounce at six *Aurei*. But Silk was grown much cheaper in the days of *Justinian*, in whose time, as the Reader may remember, we formerly told him out of an Authentick Book of *Procopius*, that Silk-Worms were brought by certain Monks out of *India* to *Constantinople*, and other parts of the Empire. But to what an height is the Silk Manufacture now advanced, and what difference is there betwixt our days and the Reign of *Aurelian!* Silk is now grown nigh as common as Wool, and become the cloathing of those in the Kitchin, as well as the Court; we wear it not onely on our Backs, but of late years on our Legs and Feet, and tread on that which formerly was of the same value with Gold it self. Yet that magnificent and expensive Prince, *Henry* the Eighth, wore ordinarily Cloth-hose, except there came from *Spain*, by great chance, a pair of Silk Stockins. K. *Edward*, his Son, was presented with a pair of long Spanish Silk Stockins by Sr. *Thomas Gresham*, his Merchant, and the Present was taken much notice of. Queen *Elizabeth*, in the third Year of her Reign, was presented, by Mrs. *Montague*, her Silk-woman, with a pair of black knit Silk Stockins, and thenceforth she never wore Cloth any more. Nine and thirty years after was invented the weaving of Silk Stockings, Wastcoats, and divers other things, by Engines, or Steel Looms, by *William Lee*, Master of Arts of St. *John's* College in *Cambridge*, a Native of *Notingham*, who taught the Art in *England* and *France*, as his Servants in *Spain*, *Venice* and *Ireland*, and his Device so well took, that now in *London* his Artificers are become a Company, having an Hall and a Master, like as other Societies. But this were an unpardonable Digression, were it our custome to make the like.

Ὀλοσηρικὸς ἐσθὴς ἦν, τὸ χρυσίῳ.

46. Next our Authour comes to shew how *Justinian* endeavoured the subversion of Advocates, Physicians, and others, professing the liberal Sciences; and for proof alledges what we have formerly said of this Subject. The publick Monies of any City or Town, which the Inhabitants, out of good Husbandry had laid up, either for publick payments, or their Recreations, he feared not to seize on, so that all stipends of Physicians and Schoolmasters ceased, no care was had of publick Buildings, no lights were set out in the Streets, and no Merriments, or innocent Divertisements, were now to be thought of; and as for Stage-plays, those of the *Circus*, and Huntings, amongst which exercises *Theodora*, his Wife, had been born and bred, they were utterly laid aside. At *Constantinople* he would have all *Spectacula* to be left off, that he might spare Money, to the undoing of an infinite multitude that had their livelyhood out of them. Therefore, saith he, all Men now are in sadness, no appearance of any mirth or chearfulness, either publickly or privately; Neighbours and Friends, when they meet, relating onely their Miseries and Calamities, and some Disaster or other which has lately hapned. Every Year there were wont to be two Consuls created, one at *Rome*, the other at *Constantinople*, who were wont to spend each of them above two thousand Pounds of Gold, not of their own, but most bestowed on them by the Emperour. This was laid out upon Shews and poor People, but especially upon Stage-Players, and very much inriched the Cities; but since *Justinian* became Emperour, there is no time determined for these things, one

How others professing Sciences.

one keeps the Consulship a long time, and there is hardly any such thing to be seen as the *Comitia Consularia*. Now whereas this Authour saith, that every year two Consuls were created, this is to be understood ordinarily, and in course, for often, as we have before hinted, a Consul has been in the East, and in the West, without a Collegue. And this moreover is observable, that the Epistles of the Ancients, and other publick Monuments, are usually signed with the Name but of one Consul, in these years wherein two were created, as appears manifestly from the *Fasti*; the reason is this; because some considerable space was required to have their Names communicated through the Empire, and in the mean time the Provincials made use of his that first came to their knowledge, as they inhabited nearer to *Rome* or *Constantinople*. In the publick Tables mention was made of him whose Name they knew not, in this manner; *Marcianus*, and *he that shall hereafter be declared*, *being Consuls*.

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47. Upon the very Bread which the poor People and Cripples were compelled to buy, *Justinian* laid such an Impost, to the value of three *Centenaries* of Gold, that the Sellers made it almost all of Chaff, or Bran at the best; to so great impiety and sordidness did his covetous Humour descend. The Officers herein employed got vast Wealth, and brought a kind of Famine upon the Poor; for it was not lawfull any otherwise to provide themselves, but all their Bread they must buy after this manner. The Watercourses were so broken, that the Inhabitants could not be supplied, and many were every day slain at the Fountains in a contention to get Water, yet was no care taken to repair the Pipes, and all for saving of Money. The Baths were also stopt up, and yet could the Emperour, in the suburbs, lay out a vast deal of Treasure on the Houses seated towards the Sea side, as if that Court were not good enough for him and his Wife, which had given so great contentment to the former Princes. But not onely at *Constantinople* did he thus afflict the Poor, who ate nothing but Bread, and drank nothing but Water onely. His cruelty reached those that lived in other Countries. *Theodorich* having conquered *Italy*, that some remains of an Empire might appear at *Rome*, maintained in pay the Pretorian Companies, which were very numerous, as those of the *Silentiarii*, *Domestici* and *Scholarii*, who, if they enjoyed nothing else, to be sure had the privilege of Souldiers, and the *Annona*, or Provisions, which he permitted to descend to their Children, and Children's Children. And to the Poor that lived near St. *Peter's* Church, he yearly gave out of the publick three thousand *Medimni* of Wheat; all which *Alexander Forficula* took away, and for that was much commended and esteemed by *Justinian*.

He lays an Impost upon Bread.

Fortasse intelligit de Adriano aqueductu, quem initio sui Imperii Justinianus restaurarat. Sic opinatur Alem.

48. At *Thermopylæ*, the Greeks that lived thereabout kept a constant Garrison, and for fear the Barbarians should make Inrodes into *Peloponnesus*, kept watch by their turns, at the Wall built on the top of the Mountains. *Alexander*, as though he took especial care for the Affairs of the *Peloponnesians*, affirmed there was no trusting to the Fortresses maintained by Countreymen, and placed there two thousand Souldiers, to be maintained by the several Cities of *Hellas*, the publick Revenues of which, under pretence of maintaining Garrison-Souldiers, he brought into the Treasury; and by these means it came to pass that neither in *Hellas*, nor at *Athens*, were there any publick Buildings, or any publick conveniences of Corporations regarded; and so were matters ordered by *Alexander Forficula*, to the great contentment of *Justinian* and his Wife. Things went as ill with the Poor of *Alexandria*, amongst the Advocates of which was one *Hephæstus*, who, being promoted to the Government of the place, appeased indeed Tumults in the City, but being more savage and cruel than the seditious themselves in effect, brought the Citizens into all sorts of Calamities. For by a Monoply exercised by himself, he hindred all others from trading, and set what rates he pleased upon all Commodities, as he did upon all Corn transported from *Egypt*, having obtained the like privilege as to that Countrey. *Justinian* perceiving the Inhabitants took these oppressions with moderate Patience, resolved to lay on as much burthen as they would carry, and more highly esteemed his formerly beloved *Hephæstus*, who, to bind him more firmly to him, devised yet another way to gratifie his Humour. The Emperour *Diocletian* ordained, that a great quantity of Corn should be yearly given by the People of *Alexandria* to the Poor, which Custome had continued down unto this time. Of this Corn *Hephæstus* brought twenty hundred thousand *Medimni* into the publick Granaries, writing to the Emperour, that the *Alexandrians* managed the business neither according to Justice nor Discretion. *Justinian* readily confirmed what he had done, and was mightily pleased with a Minister so proper for his turn.

He oppresseth the Poor of *Alexandria*.

49. But

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49. But so numerous were the wicked Actions of *Justinian*, that to recount them no time would be sufficient, but out of many I will gather a few Instances, saith our Authour, from which it may evidently appear to Posterity, what an egregious Dissembler he was, how prone to despise Almighty God, the Priests, the Laws and the People, how Loyal soever, having neither respect to Modesty, to the good of the Commonwealth, nor at all regarding to colour his wickedness by any specious pretences, but onely intent how to scrape up Money, and pillage the whole *Roman* World. The Reader is to know, that he made one *Paul* Bishop of *Alexandria*, one *Rhodo*, a *Phœnician*, being at that time Prefect of the City, to whom he wrote, that upon all occasions he should give assistence to *Paul*, by whose means he hoped to bring the Primates of that Countrey to establish the *Chalcedonian* Council. There was a certain *Phœnician*, *Arsenius* by name, of a most wicked disposition, but a great confident of *Theodora*, the Empress, by whose countenance he rose to that Wealth and Authority, that he mounted at last into the Senate. By Religion he was a Samaritan, but he complied out of fear, as also did his Father and Brother, who yet making use of *Arsenius* his Interest did great mischief to the Christians of *Scythopolis*, who were exasperated to such a degree, that they put them to a cruel death, and thereupon much mischief arose to the Inhabitants of *Palestine*. *Arsenius* though he had been the occasion of all these misdemeanours, was no otherwise punished than by a single banishment from the Court, and that because of the importunity of Christians. But as intending to doe the Emperour special Service he went down, not long after, with *Paul* to *Alexandria*, the Inhabitants whereof he hoped to draw to his purpose, and during his absence from Court, he busied himself in Christian Controversies; and thereby offended *Theodora*, who drove on a Design that seemed to be contrary to that of her Husband. For Explication of this we shall onely hint to the Reader, an Opinion which in it's proper place may be more largely discussed, that as *Justinian* stood stifly for the Council of *Chalcedon*; so *Theodora* seemed to reject it, imbracing with great kindness the *Acephali*, *Monophysitæ*, *Theopaschitæ*, and other Hereticks of that time.

Scythopoli à Christianis Incendia interierunt uti Historiam narrat Cyrillus Scythopolitanus, ex quo apparet Arsenii patrem fuisse quendam Syrianum. Alem.

50. But *Paul* coming to *Alexandria*, procured *Rhodo* the Prefect to kill *Psoës* a Deacon, alledging that he was the onely man, that hindred him in the Execution of the Emperour's commands; and by frequent Letters indeed *Justinian* commanded him to be beaten, the Torments of which Nature not able to bear he dyed under the Lash. Yet when the thing was noised abroad, *Justinian* being earnestly moved so to doe by his Wife, laid all the Load upon *Paul*, *Rhodo*, and *Arsenius*, and constituting *Liberius* a Patritian of *Rome*, his *Præfectus Augustalis* sent several Prelates down to *Alexandria* to inquire into the Fact, amongst whom went *Pelagius* Archdeacon of the *Roman* Church, who represented the Bishop. *Paul* being convicted of Murther was deprived. *Rhodo* flying to *Constantinople* was there by the Emperour's Command put to Death, and his Goods were sold, notwithstanding he produced no fewer than thirteen of *Justinian's* Letters, wherein he was again and again with all possible importunity, urged to follow and fully obey the Orders of *Paul*, without the least Contradiction, as one who had certain Precepts to pursue in point of Religion. *Arsenius* at the command of *Theodora*, was by *Liberius* his Order nailed to a Cross, and her Husband seized on his Estate, pretending no other reason than that he had been intimately acquainted with him. But here was the jest: It was not long e'er *Paul* came to *Constantinople* to Petition the Emperour, and offered seven hundred pounds of Gold to be restored to his Office, of which as he said, he had been unjustly deprived. *Justinian* took his Money, entertained him with great Respect, and promised to restore him to his See, though it was already full; and he had lately so severely punished his Complices and Associates in the Murther. He busied his Head so much about it, that every one expected when it would be done; but *Vigilius* Bishop of *Rome*, hapning at this time to be at *Constantinople*, flatly refused herein to comply with him, or to reverse that Sentence which he had given by *Pelagius*. But thus was *Justinian* intent upon his Grand design, of scraping up Money.

Vide hac de re Liberatum in Breviario, ubi rem altius petit ut videbimus. Alem.

Particular stories.

He scrapes up Money.

51. Another thing gave as ample Demonstration, which he Practised toward one *Faustinus*, who though a *Samaritan* dissembled his Religion, and accommodated himself to that of the times. Being chosen into the Senate, he also obtained the Honour and Employment of *Proconsul*, which once past, he was accused at *Constantinople* by certain Clergy-men, of being secretly a *Samaritan*, and of Cruelty and Impiety exercised against the *Christians*, that had been subject to his Jurisdiction. The Emperour was wonderfully concerned, that the Cause of Christianity should suffer during his Government, and the matter was brought before the Senate, where

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where at the instance of *Cæsar* he was banished. But see the Ingenuity, and Piety of the Prince. *Justinian* corrupted with a great sum of Money (as much as he would ask) rescinds the Judgment given in Senate, and *Faustinus* maintains himself in his accustomed Port, frequents the Court, manages the Affairs of the Emperour in *Palestine* and *Phœnicia* without Controll, and according to his own Lust and Pleasure. Thus much in short saith our Authour, to give the Reader to understand how *Justinian* at his Pleasure broke the Sanctions or Canons of Christians: As for his rescinding of Laws, out of no other Consideration than for filthy lucre; I come now to declare it, in as few words. There was one *Priscus* amongst the *Emeseni*, exceedingly dextrous in Counterfeiting another Man's hand. And this must also be remembred, that many years before one *Mammianus* a man of Patritian Dignity, of great Nobility, and as great Riches, had made the Church of the said *Emeseni* his Heir.

He rescinds Ecclesiastical Sanctions and Canons at Pleasure.

52. Afterward when *Justinian* came to the Empire, it hapned that this *Priscus* being to take a Roll of all the Families in that City, observed well such as were Wealthy amongst them, and in those noting their Ancestours, he counterfeited many Bills, as written with their own Hands, whereby they acknowledged that *Mammianus* had depositted very much Money with them. By this means he scraped together no less than an hundred Centenaries, or ten thousand pounds of Gold; but here was not all. He so counterfeited the Hand of a certain publick Notary of great Repute, and as great desert, who had been wont in the days of *Mammianus* to draw Instruments for the Citizens, that he delivered those pretended Bonds, into the hands of the Solicitours of the Church, who had bargained with him for part of the Money to be received. But the thing could not take by reason of that Law, which confined all Actions within the Prescription of thirty Years; and as for the *Hypothecarii* and certain others, it barred them by an Exception which pleaded above forty Years continuance. Pressed with this Insuperable difficulty, they go to *Constantinople*; they get Admission to the Emperour, whose Authority alone could surmount it, and Presenting him with a great sum of Gold, beg he would be their Friend, and stand by them in their business. He takes the Money, and presently makes a new Law, whereby he inlarges the time of prosecuting Actions in Church matters, to the term of one hundred Years; not onely at *Emesa*, but throughout the whole Empire. This being as the Authour relates it, we see the occasion of the Centenary Prescription granted by him to Churches; and hence it appears, that it was not onely granted to the Church of *Rome*, as some would gather from his ninth Novel, but to all others dispersed through the *Roman* State.

The Prescription of an hundred years for Churches.

53. According to the Tenour of the new Law, he sends one *Longinus* an Industrious man, and one of a strong Constitution to act at *Emesa*, before whom the Procuratours accuse the *Emesenians*, by the feigned Bonds of owing no less than two hundred pounds of Gold; and being not able to trace the Truth in so large and dark a space of time, they were presently Condemned. Most of the Citizens were like to be utterly undone by this Course of proceeding, when it pleased Almighty God by his Providence to moderate it. *Longinus* commands *Priscus* the Inventour of this Mischief to bring all his Papers to him, which when he refused to doe, he gave him so found a blow on the Ear, that the man fell down, and in great Fear and Astonishment, thinking that *Longinus* had smelt out his Villany, confessed the whole Cheat, and so a stop was put to their Proceedings. But this we must add to this Relation; that *Justinian* ashamed it seems of his Centenary Prescription, and having it beaten often into his Ears, that the great distance of time exceeding the Age of man rendred it impossible, again revoked it; of which it's a wonder our Authour should take no notice. But possibly the Emperour might retract his former Edict, after the two and thirtieth year of his Reign, beyond which the secret History doth not extend.

Habes in Edicto quinto cui falsus est titulus de Litigiis. Ecce rationem.

Ἐπειδὴ δὲ πολλοὶ τῶν ἀμφίλογα τὰ αἰῶνος μακρὸν ὑπερβάντα χρόνον ὑπὸ τῆς ἀνθρωπίνης τῶν ἀπαιτούντων ἢ ἀπαιτουμένων ἕξεως, ἐπὶ τῶν ἀναγραμμένων ἤδη ἢ ἐπὶ τῶν ἀγράφων ἐξῆν ἢ ἐξὸν ἐστὶ τοῖς βουλομένοις μάχεσθαι.

But he revoked it.

54. Not onely did *Justinian* handle, almost every day, the *Roman* Laws in this manner, but indeavoured also to destroy those which the Hebrews imbrace and Reverence. For in Case their Passover happened before the *Christian-Easter*, they were not suffered to perform the Ceremonies at their due and usual time. And most of them were grievously fined for eating Lambs flesh at that time, contrary to the usual Practice, and the Christian Canons. From these Instances, our Historian conceives he hath sufficiently proved the Emperour's naughty disposition; and having now almost tired himself, he talkes of making an end, after he shall have but a little shewn his Craft and Dissimulation. But here before we go any farther, we shall add what *Alemannus* hints to us, out of *Theophanes* touching this matter of Changing days, that not onely did *Justinian* deal thus with the *Jews*,

Sect. 3. but with Christians also in the Celebration of *Easter*. For in the nineteenth year of his Reign, the People began to abstain from Flesh on the fourth day of *February*. But the Emperour commanded that Flesh should be eaten another Week, and accordingly the Butchers killed and exposed it to sale, but no Body either bought or tasted it. Yet *Easter* was begun as the Emperour commanded, and the People fasted one Week superfluously. Now for Prosecution of the Argument of Dissimulation, we are to know, that *Justinian* put *Liberius* the Patritian lately mentioned out of his Government, which he bestowed upon *John* an *Ægyptian*, Sirnamed *Laxarion*. This being known by *Pelagius*, who was a great Friend of *Liberius*, he desires to be satisfied of the Emperour, if the Report concerning *Laxarion* were true? He utterly denies it, and gives his Letters into the Hands of *Pelagius*, whereby was confirmed to *Liberius* his former Charge, and affirms he had no Intention at present to displace him.

His Dissimulation.

55. But at this time resided at *Constantinople*, one *Eudæmon* the Uncle of *John*, a man of Consular Dignity, very Wealthy and *Cæsar*'s Steward, who hearing what had lately passed betwixt the Emperour and *Pelagius*, demanded of him whether he continued firm in his Resolution as to his Nephew's preferment. *Justinian* dissembling what he had written to *Liberius*, sends also his Letters to *John*, bidding him to look to his Charge and mind his business, for he had nothing otherwise determined concerning him. Hereupon *John* commands *Liberius* as a man out of Office, to remove himself out of the Palace, which he denied, shewing also his Commission from *Cæsar*. They both arm and fight: Many are slain on both sides, and *John* falls amongst the rest. Then doth *Eudæmon* importune the Emperour that *Liberius* may be summoned to give Account of his Nephew's death, which is accordingly done, and the matter being brought before the Senate, he is absolved, as having done what necessity constrained, and in his own defence; but the Emperour would not acquit him, till he had fleeced him of a round sum of Money, so great a Patron was he of Truth and Friendship. But it happened that not long after, *Eudæmon* dies Intestate, leaving a numerous kindred behind him, and much about the same time, *Euphratas* chief of the *Palatine* Eunuchs, leaving also a great Estate, and a Nephew by his Sister; but no Testament. Of both these *Justinian* makes himself Heir, not bestowing one Farthing on those, whom the Laws called to the Succession. In like manner did he deal with the Relations of *Irenæus*, who was dead long before.

56. About the same time, *Anatolius* chief of the Senatours of *Ascalon* married his Daughter to *Mammilianus* the most Noble of all the *Cæsareans*. There was an Ancient Law, that when the Senatours of any City died without Issue-male, the fourth part of their Estate should come to the Senate, and the rest be enjoyed by their Heirs: Now *Justinian* makes a Law quite contrary, that in such a Case their Heirs should have but a fourth part, and all the rest should remain to the Senate and publick Treasury, although it never had been formerly known, that any Goods of the Senatours came either into the publick Treasury, or that of *Cæsar*. But such being now the Law, *Anatolius* dies and his Daughter pays what was due by the late Law to the Treasury and the Senate, receiving Discharges both from the Emperour and the Senate of *Ascalon*. At length *Mammilianus* dies too and leaves a Daughter, which being married to a Noble-man, dies also at length without Issue, leaving her Mother alive. *Justinian* presently seizeth on all they left, openly saying, that by no means the Daughter of *Anatolius* being now grown old, ought to enjoy the Fortunes of her Father and Husband: Onely to keep her from begging or starving, he allowed her for her Life a Golden Stater a day, adding this in the Instrument of this Rapine; We bestowed on her this Stater, out of our innate Piety and Clemency, for by our Actions it is our Custome, to express the Holy and Pious disposition of our mind. This is enough, saith our Authour, more would be Irksome; but I believe it impossible for any man to remember all.

He takes away Posts.

Discourages Spies.

And Camels.

57. Yet he cannot make an end, but conceives it material to add that in Respect to his Covetousness, the very Faction of the *Veneti*, however addicted to him, were very little regarded. *Malthanes a Cilician*, Son-in-Law to *Leo*, a Referendary formerly mentioned, was sent into *Cilicia*, to Compose all Seditions arising in that Countrey. Taking advantage of the time, he handles unmercifully very many *Cilicians*, and some of the Money he Charges upon the Tyrant; another part he himself doth own. All others bore the mischief as Persons constrained so to doe: Onely such as were of the Faction, of the *Veneti* at *Tarsus*, hoping well from the Assistence of the Empress, openly reviled *Malthanes* in the *Forum*. He having notice of it, gathers together a band of Men, and coming to *Tarsus*

Tarsus by Night, sends his Souldiers by break of day to plunder the Town. The *Veneti* looking upon it no otherwise than as the Invasion of an Enemy, every one stood upon his Guard, and in the dark many being killed, amongst the rest fell *Damianus* a Senatour, and chief of the Faction of the *Veneti* at *Tarsus*. The News of his Death no sooner came to *Constantinople*, but the *Veneti* began to make disturbance throughout the City, and heavily to Rail at *Leo* and *Malthanes*, whom they loaded with all Indignities and Threats, which Words could not but offend the Emperour; pretending to be very much displeased, with what was laid to the Charge of *Malthanes*, by an Edict commanded Inquisition to be made. But *Leo* by a vast sum of Money extinguished both the violence of the Edict, and the Emperour's Good Will toward the *Veneti*; who having given Order, that the Process should fall, received *Malthanes* at his coming to Court, with all possible kindness. Yet the *Veneti* set upon him, and wounded him as he came out of the Palace: And had certainly slain him, but that *Leo* hired some of the Company to stop the proceedings of their Fellows. Sect. 3.

58. A Noble piece of Justice! To suffer such violence to be committed in his own Court under his Nose, and Sacrifice all things, how pretious soever, to his covetous and sordid Humour. But behold yet farther, what affection he bore, like a true Father of his Countrey, to the publick Good. The former Princes, that they might have a speedy Account, what was done or Practised in each Province, either by their Enemies, or their Turbulent and seditious Subjects; how their Officers behaved themselves; that they might be advertised of any Accident or memorable Occurrence, as also, to convey up quickly and safely the Annual Tributes and Impositions, ordained certain Posts or Carriers after this manner. Betwixt every stage, or in an whole days Travelling, they caused to be made eight Inns or places of Refreshment; sometimes fewer, but never under five. In each Inn were kept nigh forty Horses fit for Service, and as many Men to manage them, who succeeding to one another, and still taking fresh Horses; sometimes would Letters or any other things be conveyed in one day, as far as ordinarily they could pass in ten. This besides the Convenience of passage, tended much to the Inrichment of the Inland Countries, the Inhabitants whereof put off their Provisions, both for Man and Horse at very good Rates to the *Quæstors*. Such as served the publick in this Employment, brought the Money they received to the Treasury, thence received their Wages, and so the whole business was managed to the great Convenience and advantage of the State. But *Justinian* took away the Post, that lay between *Chalcedon* and *Dacibiza*, and compelled all Passengers in little Boats, to go from *Constantinople* as far as *Helonopolis*, though in passing the *Straits* they were in great Danger to be cast away. The Post lying toward *Persia* he left as he found, but throughout the other parts of the East, as far as to the Borders of *Ægypt*, he left not so much as one single Inn, or Stable of Horses in a whole days Journey, but some of Asses. Whereupon the design of Intelligence was almost quite dashed, and Provisions lay upon the Hands of the Countreymen; who as we said, were formerly wont to put them off at very good Rates.

59. He dealt in the same manner with the Intelligencers or Spies, who had been wont to be employed, at the publick Charge, under pretence of Merchandizing to pass into the Enemies Countrey, and even into the Court of *Persia*, where having covered their Intentions, they returned with all Convenient speed, and made Report to the Prince; who by this means was secured from a surprize on all occasions. But he suffered *Chosroes* the *Persian* King, to outdoe him in this point, who giving better Pensions, had ever his Spies resident at *Constantinople*, and carried it so cunningly, that though they still discovered all to the *Persians*; yet were the *Romans* quite in the dark, as to the matter of *Lazica*, and which way *Chosroes* would take his Course. A great number of Camels also were wont to be maintained at the publick Charge to follow Armies, and convey the Baggage, that the Souldiers might have all Necessaries, and the Countrey might not be burthened by pressing of Carriages. But *Justinian* took them all away to the great hindrance of his Expeditions. Now the Authour says, he will tell you something of his Ridiculous Tricks. There was one *Evangelus* an Advocate of *Cæsarea*, a man of good Repute, who grew very rich both in Land and Monies, and at last bought *Porphyrio* a Maritime Village for three Centenaries, or three hundred pounds of Gold.

πυαελων ἀντίοχ. *Etiamsi pagum vocet tamen talis fuit ut Episcopi esset Sedes. Nam Justiniani tempore Theodorus eam rexit Ecclesiam, cui successit Christophorus qui Concilio Constantinopoli à Menna celebrato interfuit. In Actis Synodicis subscribit, Χριστόφορος Πορφυρεὼν φοινίκης παραλίας. Unde notat Alemannus scribendum Πορφυρεώνα non Πορφυσιώνα est nomen ἐθνικόν. Ibi fortasse Tyrii purpuras piscabantur.*

Sect. 3. *Justinian* coming to know it, gave him a very little and inconsiderable piece of Money, and took it from him, saying it was a shame, that *Evangelus* an Advocate should be Master of so considerable a Village.

60. At length this Bundle of Accusations, our Authour wraps up in a farther Account of some things, wherein *Justinian* and *Theodora* were Innovatours. In times past, the Senatours saluted the Emperour after this manner. Those of Patritian Rank bowed down, and did Reverence as low as his right Pap, and *Cæsar* as he so drew back kissed him on the Head; the rest kneeled down on their right Knee and departed: As for the Empress, there was no certain Course of paying Respect to her. But when they came into the Presence of *Justinian* and *Theodora*, as well Patritians as others, presently they fell on their Faces, and with Feet and Hands stretched out, kissed each Foot and so withdrew. She also gave Audience to Ambassadours, a thing never heard of before, and presented them at their Departure, as being Mistress of the *Roman* Empire. Of old, such as spake to the Emperour or Empress, called them by those Names and no other, and other Princes as their Order, and Dignity required. But such as spake with either of these, and called not him Lord, and her Lady, and themselves their Slaves, were accounted Rude and Sawcy, and rejected as Uncivil. Formerly very few, and that rarely came to Court; but now as well as Magistrates, all others spent their time there. And whereas Judges gave Sentence, and business was done for Clients either at home or in the usual places of Judicature without molesting the Prince, who left all to their own Freedom; *Justinian* and his Wife to the utter undoing of their Subjects, called all their matters before themselves, and tyed them to this slavish Attendance. The Tribunals and the *Forum*, one might see almost every day without a man in them, but *Cæsar*'s Palace Crowded with perpetual Attendants. Their greatest Familiars there passed all the day, and much of the Night spent with Watching and Hunger. Such as were freed from these Cares, were wont to talk and enquire amongst themselves, what was become of the Wealth of the *Romans*, and affirm that part of it was taken away by Barbarians, and the rest thrust into Holes and Corners by the Emperour. But when *Justinian* shall once dye (if so be he be a man) whether the Prince of the *Dæmons* shall destroy mankind, they that are then alive by experience will find.

Requires servile Respect to be paid him by Senatours.

61. So concludes at length the pretended *Anecdota*, or secret History of *Procopius*, a work as extravagant in its Form and Composition, as is the matter therein contained. Incredible it is, that a man who had digested his other Histories into very good Order, according to the Variety of their Subjects, should patch up such a Fardel of Accusations with the greatest Confusion imaginable, joynting them onely, a Company of Tautologies with trifling Observations, and twenty times repeated Exclamations. The style of it is slanting, and nothing ever was so full of Ostentation. Nothing can the Authour relate, but with a Periphrasis. No Sentence but full of superfluous Particles, nothing becoming the Gravity of an Historian; but the Insinuations of a Sophist. His frequent Transitions, Epilogues, and an hundred times reiterated Observations upon divers particulars, and those of the slightest moment imaginable, cannot but Nauseate the Reader. In this Libel you have one word no seldomer than six hundred times repeated, to speak of no more; and indeed scarcely is there one story or passage told, with any moderate Art, Care or Circumspection. There are those that excuse him, because he wrote *Anecdota*, or a secret History, which they accuse as generally Obnoxious to such impertinences and disadvantages, as *Tully* himself pleaded in his own behalf. But let any one shew such a Fardel of indigested stuff, Fathered upon any Man, but of tolerable Abilities: Certainly a man of Reasonable parts, though he wrote that which he would have concealed, could not have his thoughts so broken or disordered, as to observe no Order, Method or Rule whatsoever. His Fears and Jealousies must be mighty high to put him into so much disorder. And he must have been as pusillanimous as *Belisarius* himself, whom he will have to have carried himself with that baseness or dejectedness of Mind, upon apprehension of Death. His opportunities else of secrecy must have been very little; his Locks and Bolts very weak, or the Man so poor that he could not purchase any close Cabinet, wherein to lay his Papers as he wrote them. Doubtless his Perturbation of mind was very high, or his Art was exceeding mean and despicable.

The secret History, a Fardel of stuff.

Τὰ ἀνέκδοτα ξυνωνύμως, ἐρεθίσεις, ξυνέκτασις, ταυτολογία.

Λυπεῖ σφόδρα.

Alemannus.

62. Such as he is, he appeared not in Print, till *Alemannus* (whose learned Notes make amends for his rude story) published him out of the Vatican Library, in the sixteen hundred and twenty third year of our Lord. In that Library he found two moth-eaten Copies, the one transcribed from the other; but both of them

Published by *Alemannus.*

them without either Names of the Authour, or Title of the work; both of them without beginning, and the more Ancient without Conclusion, and each of them full of Gaps and void places; in which the Authour often promises he would tell many things, he never tells, and discovers so many Defects, that as it were through the Crannies, you may discover *Procopius* writing in stealth and haste, or forgetting himself out of Perturbation of mind, saith the Publisher. For to come to the point, he concludes the Book was written by *Procopius*, and gives it the Title of ἀνέκδοτα from *Suidas*, who signifies that he wrote a Book under this Name, concerning the matters of *Justinian*, wherein were contained Accusations and Censures of him, and his Wife *Theodora*, as also *Belisarius*, and *Antonina* his Wife. He farther informs us, that there were two other Copies of this Book (the use of which in setting forth this of the Vatican, he much wanted and desired) *viz.* One brought by *John Lascaris* from *Constantinople* to *Lawrence de Medicis*, which as was reported *Catharine de Medicis*, the Queen, carried with her into *France*, which yet the *French*-men enquire after in Foreign Libraries; and another belonging to *John Vincentius Pinellus*, which was lost at Sea in a Voyage to *Naples*; but some Fragments were taken out of it by *Peter Pithœus*, and *Guidus Pancirollus*, who also affirm, that the Title of it was *Anecdota*. Now by this name Authours were wont to call, such Histories as they intended to conceal from the Age in which they lived; as *Cicero* calls his History, which he began of the *Roman* state (derided by *Q. Fufius Calenus*, as *Dio* tells us) wherein he Censured the Actions, Manners and Dispositions of the Great men of his time, and wrote it for his own Satisfaction, and the Information of *Pomponius*, and Posterity.

Sect. 3.

Τὰ βιβλία Προκοπίου τὰ καλούμενα ΑΝΕΚΔΟΤΑ, &c.

Who will have *Procopius* the Authour.

Ἀνέκδοτα, *sive* ἀνέκδοτα *Quam scil. in Abditissima loco Author reconditi, neve ut reliquos libros ederet, Evulgavit.*

63. *Nicephorus* indeed it's owned, reckoning up the works of *Procopius*, mentions one that was written against *Justinian*, but he calls it not ἀνέκδοτα, but ἀντίρρησιν, or a Detractation of those Commendations whereby he had formerly so much extolled him. Hereby, as *Alemannus* gathers, it sufficiently appears that he never saw this Secret History. Neither, you are to know, did any of the ancient Historians, who though they accuse *Justinian* of divers things, yet cite nothing out of this Book, nor the later Writers, as *Alemannus* confesseth, who write things quite contrary to it; onely *Suidas*, as appears by his *Collectanea* transcribed the better part of it, and by a Collation of his Collections with the Text of this History, *Alemannus* would have his Readers believe, that his and the Edition of *Suidas* were the very same. To make us of this mind, he endeavours to possess us with as evil an opinion of *Justinian* as possibly he can, heaping up all the hard sayings he can meet with in all Writers, if not more than all. For example, *Euagrius* mentions and detests his excessive Avarice, and Rapine, and the vexing of his Subjects, of all Ages and Conditions by most secret and most different Arts, and as vile and Impudent Instruments. He adds, that places of Magistracy, Governments, and other Offices he Sold, and built his Churches, Hospitals, and Monasteries out of the Spoils of private men. He affirms that he nourished the Faction of the *Veneti*, permitting them to make slaughter of the *Prasini*, and to fill all places with Murthers, Rapines and Devastations. In the beginning of his Reign, he preserved the Grandeur and Dignity of the *Roman* Empire, to his great Commendation, but when he grew old, he so failed of his Duty or Abilities, that he suffered it to decay, and made it Tributary, as *Menander* writes, not onely to the *Persians*, but the *Hunnes*, *Saracens*, and other sorts of Barbarous People. *Hesychius Milesius*, an Historian Contemporary with *Procopius*, derided *Justinian*'s Levity, for believing what *Tribonianus* flatteringly told him, that he should be taken up alive into Heaven. Concerning his Frauds and Deceits, *Agathias* hath written more largely than *Procopius*, instancing in his Tricks, and producing the Copies of his Letters written to the Leaders of the *Hunnes*, whereby he set them together by the Ears, and caused them to destroy each other by intestine Wars. He mentions also his cruel, unjust and impious Rapines, committed against both the Children living, and the deceased Parents.

Nicephorus Callisti. l. 17. *c.* 10.

From *Suidas*. And other Testimonies against *Justinian*.

64. Farther, *Gregory* the Bishop of *Tours*, and the Historian of the *Franks*, tells a very good story how *Juliana Amica*, a most choice and Noble Matron, deluded his Avarice. *Victor Tunnensis* relates, that *Vitalianus* General of the Army, was made away by his Faction. *Liberatus* mentions his Cruelty and Tyranny against the Bishops of the East and West, and the Popes of *Rome*. On the contrary he incouraged the *Patriarchs* of *Constantinople* in their ambitious practices, and first of all Emperours gave them the title of *Oecumenical* or Universal, they arriving at that impious boldness, through his Countenance and favour, as to bear up with the *Roman* Bishop, and hardly to give place to the Head of the Church. And to this great

Sect. 3. great wickedness he added this Crime also, that he indeavoured to confirm and establish by his Sanction, the Canons of the *Constantinopolitan* and *Chalcedonian* Councils, whereby prerogative was given to the Bishops of that City. As for *Theodora* his Wife, her wicked practices both against God and Man were so notorious, that *Alemannus* thinks he needs not cite any Authours for Confirmation of his Assertion, onely brings the Irrefragable Testimony, and Infallible Judgment and Sentence of Cardinal *Baronius* founded upon the Reports of ancient Historians, though he never saw as he confesseth the *Anecdota* of *Procopius*. By this Book he affirmeth that the writings of the later Historians are to be corrected. Yet where they speak against *Justinian*, their Testimonies by all means are to be imbraced. For many though they saw not this Book, yet recite and confirm the report of his wicked Life. *Theophanes* tells something, and so do *Isaurus* an Holy man, the Authour of the *Alexandrian* Chronicle, *Johannes Antiochenus* and *Suidas*: Something also *Anastasius* the Vatican Library-keeper, *Paulus Diaconus* and *Aimoinus*: but *Zonaras*, *Cedrenus*, *Nicephorus*, *Euphræmius* and other Chroniclers give us them by bundles. All these had their materials from those Writers that were the Contemporaries of *Procopius*, and wrote the same things of *Justinian* as he did. These were *Hesychius*, *Agathias*, *Menander Protector*, *Euagrius*, *Johannes Epiphanienſis*, *Cyrillus Scythopolitanus*, *Theophilus* the School-Maiter of *Justinian*, *Innocentius Marolanus*, *Eustathius Byzantius*; and of the Latin Authours, *Victor Tunnenſis*, *Flavius Creſconius*, *Corippus*, *Gregorius Turonenſis*, *Liberatus Afer*, *Facundus Hermianenſis* and many others.

65. But there's no need, saith he, of urging their Testimony in this matter, there being Domestick witnesses enough to convince the world, that *Procopius* was no Lyer. These are *Justinian* himself, *Justin* his Uncle, and *Justin* the younger his Sisters Son, who being ready to be destroyed by the Seditious *Veneti* and *Prasini*, restrained their Rage by words, which shewed *Justinian* to have been Authour of all these mischiefs. *Behold Citizens*, saith he, *let an end be put at last to these publick Calamities. Know ye Veneti, that Justinian is Dead as to you; and ye Prasini, that as to you he still liveth.* As for the Infamous Courses of *Theodora*, her Life and Education, there is yet extant a Constitution of *Justin* the Elder, whereby it is made lawfull for Senatours to marry Women of base Condition. And for the third part of the History concerning *Justinian*'s Crimes, though he himself confess them not, yet he openly acknowledgeth, and seriously declares the source of all these mischiefs, owning that he had taken her to be a Partner of his Councils, who was given him by God, his most pious Wife. All Writers plainly affirm, that his Reign had been fortunate, if he had not been Counselled and Governed by her in the management of his Business. But *Alemannus* farther urgeth, *Procopius* by his other Books, sufficiently establisheth the truth of his Secret History; for therein he jejunely commends *Justinian*, but lays large Foundations of censure and reproach, mentioning more and greater Crimes than he lays to his charge in this Treatise, and sufficiently discovering his Cruelty, Avarice, unfaithfulness to his Friends, breach of Faith toward his Enemies; his hatred of good men, his love of wicked men, his violating of all Law, Divine and Humane, and subjecting all things to the Imperious Humour and Lust of *Theodora*.

Hæc omnia apud nos Cogitantes & hic quoq; participem Concilii ſumpſimus eam, quæ à Deo data eſt nobis, Poſſimam Conjugem.

66. For instance, he durst not take *John* the *Cappadocian* out of her Hands, nor prevent the effects of her Implacable Malice, but though most dear to him, was forced to banish him, and could not restore him till after her Death. Though he had concluded Peace with *Chosroes*, he hired *Alamundarus* and the *Hunnes* to make War upon him, to the great detriment of the Empire. The Garrison Souldiers for want of Pay he caused to Revolt. Besides those at home with him, in the Camp he had two eminent Instruments of his covetous Practices, *viz. John* the *Quæstor* of his Army, who, to spare the Emperours money, with naughty Bread destroyed a great multitude of Souldiers; and *Alexander Forficula*, out of hatred to whom, they industriously suffered themselves to be worsted in *Italy*. Out of Covetousness he instituted his *Logothetæ*, and abolished all Degrees of Honours at *Rome*. He preferred the most wicked of men to places of Trust and Dignity, as *Acacius* and *John Zibus*. These things and many others he published in those Volumes, which he gave *Justinian* himself to reade, who was not offended with them; and afterward he published an eighth Book, in which he no more spared him, than he had done in his former. For he again insists upon the Souldiers want of Pay, complains that due preparations for War were neglected; again Condemns *Justinian*'s prodigality in the entertainment of *Isdigunas*, the insolent *Persian* Ambassadour. Declares that the affairs of the Empire were come to that pass, that a yearly Tribute was paid to the *Persians*, and great gifts were given to the *Hunnes*, who made perpetual excursions into the *Roman* Territories. And he reprehends *Justinian*'s unseasonable Levity and Indulgence to his Officers, especially to his Commanders, which brought very much prejudice to the Commonwealth. To conclude this point, saith our Publisher, lest we be tedious; *Procopius* seems so to have composed his *Anecdota* and his other Books which he presented to *Justinian*, that scarcely is there any thing in his secret History, which by his own confession you may not prove out of his former works.

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His Arguments examined.

67. These are the Arguments by which *Alemannus* will move us not to question the Authority of this Book. But first it's no small wonder that it should lie concealed so long, and never appear till almost the other day. That others of the Ancients should not have as good opportunity to see it as *Suidas*, and that so many that have ransackt the *Vatican* Library, should never light of it in any Age; for although *Baronius* was not able to know it, though it lay before his Eyes, he was so ignorant of the Greek Language, yet it's a matter nigh to a Miracle, that his Holiness should neither have a Library Keeper, nor any other Learned Attendant nor Student, who could understand that Tongue till *Alemannus* chanced to stumble upon it. Certainly the fortune of the other two Copies was almost Prodigious, that the one should be drown'd, and the other lost and never to be found; that *France* should be so barren of Learned men in the time of *Catharine de Medicis*, that none should be sensible of the worth of such a Jewel, but suffer it utterly to perish. Is there not a shrewd suspicion that *Cujacius* or some other Learned Lawyer met with it, and burnt it as a scandalous Libel against *Justinian*? But in truth, whoever wrote it, it may be termed a scandalous Libel against *Procopius*, doing almost as much prejudice to his Reputation, as it hurts the memory of the Emperour; So pitifull a piece of stuff it is, that the Writer must either have been very weak in his Intellectuals, or not himself when he wrote it. And can *Alemannus* excuse the matter by the Authour's fear and apprehension of Danger? Could his *Procopius*, a man of such freedom and boldness, who durst present to *Justinian* himself, Books wherein so severe censures of his Actions were contained, be guilty of so great pusillanimity? Could he who durst look a Tyrant (as this Treatise makes him) in the face, and tell him his faults to his teeth, degenerate into so much Cowardise, as neither to trust to the Justice of his Cause, the goodness of the Fact, nor privacy of his own Cabinet? but as he stories it of *Belisarius*, at every word to peep and look if any body saw him, and to be seized with such perturbation of mind, as not to be Master of his own thoughts, nor to write a Discourse with any tolerable method, or other qualifications except that of bitterness?

68. That which carries most strength with it is, that *Suidas* mentions a Book written by him under such a name, and that as well he as *Euagrius* say the same things, as the Authour of this private History doth concerning *Justinian*. This indeed makes it somewhat probable, that *Procopius* wrote such a Book, and that if we consider what manner of Book that of *Suidas* is, its Testimony again will be very much weakned. For first, some Copies of it tell us, that *Justinian* was 'Ανάλφαβητος or void of all Learning, which is most false, as we shall see hereafter, even by the Confession of *Alemannus*. Then if we may credit *Possevine* the Jesuite, very many things are falsely inserted into *Suidas*, as *à Sciolis & Schismaticis*, by Smatterers and Schismaticks, and those things are repugnant to Evangelical truth and Historical sincerity. But admit *Suidas* for the Authour of such Stories, as there we find concerning *Justinian*, he is in no case of equal Authority and Credit to those Authours, which make contrary Relations to those of his. He was an earnest defender of very gross Errours, and sided with such as were given to Lies and Fables. But rather to give you the Jesuite's Judgment of him, he tells you he was heretical, and that the Book going under his Name is full of Errours, Fables and Lies; as for instance those amongst many others; That the World was made of the Poetical Chaos; that it shall continue twelve hundred thousand years; that the Sun and Stars are fiery Substances, fed and perpetuated by terrestrial humours; that Paradise is *Hortus Penſilis*, or a Garden hanging in the Air far above the Earth; that *Cain* was begotten of the Devil; that the Jews worshipped the Head of an Asse, and every seventh year Sacrificed a Stranger: In his Narration in the word *Nero*, touching *Annas* and *Cajaphas*, *Peter*, *Pilate* and *Simon Magus*, he forgeth many things: His story in the word *Julianus*, he calleth *mendacium flagitioſiſſimum*, or a most lewd Lie. As also his slandring *Constantine* the Great as base born, and his Son *Crispus* as Incestuous: His commending of *Acatius* and *Aceſius* two Hereticks, to which he adds, that he writes many things against the truth of History.

What Credit is to be given to the Book of *Suidas*.

In Appar. verb. Suidas.

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69. In his Relation in the word *Apollonius*, he praiseth many things which are monstrous and utterly to be exploded, and seemeth to allow the impious art of Magick and of Divinations. He approves of *Apollonius* and *Danis* two wicked Magicians, who are both Condemned to Hell. And to omit very many of this kind of Impieties and Fables which abound in *Suidas*, his Narration (*in verbo Jesus*), *Baronius* not onely rejecteth, but Pope *Paul* the fourth for that cause besides some others, exploded the Book of *Suidas*, and placed it in the Rank and Number of prohibited Books. Such a worthy Witness is *Suidas*, concerning whose reviling *Justinian*, *Gothofrid* makes little account, esteeming his words no slander, and imbracing the quite contrary Opinion. As for *Euagrius*, where he follows Authours of better Note, he is not to be Contemned; but in very many things he is too credulous, fabulous and utterly to be rejected. As what Credit can be given to his story of the Monk *Barsanuphius*, whom he reports to have lived in his Cell, wherein he had mewed himself up for the space of above fifty years, and neither to have been seen by any, nor to have received any Nourishment? What a worthy Saint doth he describe *Simeon Moros*, or Saint *Fool* to have been? How doth he commend *Synesius* who as was formerly shewed, though he was perswaded to be baptized and enter into Orders, yet would not believe the Resurrection was possible. We might farther instance in the bloud of *Euphemia*, and several other idle stories; but two there are especially which demonstrate him, either to have been extremely negligent in the search of truth, or very malitious in perverting it. One is that, *Maximianus* succeeded in the Bishoprick after the Death of *Nestorius*; an untruth so palpable, that none can think *Euagrius* to have been ignorant of these manifold and undoubted Records which testifie the contrary. The other concerns the Fable touching the Epistle and Image of Christ, sent to *Abgarus*, which *Euagrius* points out at large, and commends the Epistle as a true writing of Christ, and celebrated by the Ancients, of these two passages in their proper places. Here it sufficeth to say that Pope *Gelasius*, and with him the whole *Roman* Council, having made a long Catalogue of fabulous Writings, and particularly this Epistle of Christ to *Abgarus*, passeth this censure on them all: These and all like unto them, we confess to have been not onely refused, but cast out of the Church, by the whole *Roman* Catholick and Apostolick Church, and we confess as well these Writings, as the Authours and the followers also of them, to be Eternally condemned under the Indissoluble bond of an *Anathema*. Such an untrue and fabulous, yea, according to his own Principles, miserable and accursed witness hath *Alemannus* chosen, to confirm the Authority of his secret History in conjunction with *Suidas*.

Quæ omnia misrosa sunt & prorsus explodenda.

In Indic. lib. prohibit.

Ante lib. Inst. valeant calumnia nos sinceritas sequamur.

Lib. 4. c. 32.

70. But besides the invalidating the Testimony of these Witnesses, by making them appear infamous upon Record in his own Court, it's easie to bring others in behalf of *Justinian*, who in point of fame and estimation even with *Alemannus* are without exception, and do with a loud and consenting Voice proclaim that Faith, Piety, Prudence, Justice, Clemency, Bounty, and all other Heroical and Princely Vertues were resplendent in him: Many of these being Ecclesiastical, we may produce them in a more proper place, where are to be considered the Calumnies of *Baronius* against this Emperour; for upon several accounts there to be mentioned, those of that party labour with all their strength to blast his memory, and make him appear odious to Posterity. Yet their Pope *Gregory* and others, in whose days the same Interest and Reasons which now prevail were unknown, give him vast Commendations. *Gregory* often calls him a man of Pious memory, and the Legates of *Otho* of Divine memory: so doth *Constantine* the Emperour, and the whole sixth General Council, which a dozen times or more calls him a person of pious or Divine memory, and most Holy *Justinian*. But here *Alemannus* excepts and tells you in his Notes, how in that respectfull manner of speech all Writers are wont to mention the Christian Emperours. They speak in the same terms of *Anastasius*, who was a notorious Heretick. The Fathers of the sixth Council give the same respect to *Theodora*. *Andrew* the Bishop of *Ephesus* in the tenth Act of the *Chalcedonian* Council, adds to the name of *Theodosius Junior* ὁσιώτατος, and the Authour of the Life of St. *Nilus*, to that of *Theodosius Senior* ὁ ἁγιώτατος, besides the *Roman* Council to *Theodorich* King of the *Goths*, though an Arian, gives the addition of *Sanctus Princeps*. The Emperours all ever are called *Sacratissimi*, and *Divinissimi*. They of themselves use these phrases *Numen Nostrum*; their Letters are called *Sacræ*, *Divinæ Literæ*, their Court *Sacrum Palatium*, *Domus Divina*, and their very Footsteps *Sacra Vestigia*. That round kind of Ray or Diadem which Gentiles put about their Gods, and later Christians about the Heads of Saints, are to be seen also about the Heads of Emperours in their Coins, as a Prerogative not of

Lib. 2. Indict. 11. ep. 10. & lib. 3. ep. 4. Cent. 6. Act. 3. &c. Vid. p. p. 12. & 73.

of Merit but of Imperial and Royal Dignity. Nay that most Holy Martyr *Dionysius* of *Alexandria*, as *Eusebius* tells us, gave to *Valerianus* and *Gratianus* both Pagan Princes, the very appellation of *Sanctissimi*. Sect. 3.

71. It must not be denied, but such terms of Respect and Honour were given to Emperours, who were wont to assume those and such like to themselves, *viz. Divinitas nostra, & Numen nostrum*, which though some later Authours so much dislike and reprehend, yet our Bishop *Mountague* in consideration of their high Place and Office, (in which respect, he, who best may, hath said they are Gods,) excuseth the Custome. But will *Alemannus* say it was a thing of course also, when Councils or other prudent Persons would exhort Princes to follow the ways of Deceased Emperours, who by flattery could neither be obliged nor disobliged by downright dealing, to propound to them such base and prostigate Persons as this History makes *Justinian*; or when they would commend their Emperours, to compare them with those who for all manner of Villanies could not but be odious, and seemed Devils Incarnate, (such did this Authour think *Justinian* really to be,) rather than men? Now the sixth General Council to expres the great Honour they had for *Constantine* the Emperour then present with them, Proclaimed him to be a new *Constantine*, a new *Theodosius*, a new *Martian*, and a new *Justinian*, wishing him eternal memory, or praise under this Name. A most miserable Praise and Commendation had this been, had *Justinian* been so notorious a Villain; for then the whole General Council had not onely dishonoured *Constantine*, but had wished Honour and Immortal Glory to Tyrants and the Devil himself, which kind of Praising and Praying as Dr. *Crackenthorp* observes, is not very suitable to the Piety and Faith of that General Council. If it be said that the Council meant onely in Religious matters, it's easie to answer that *Alemannus*, *Baronius* and the rest of that Party, condemn him as much in relation to Church business, as that of the State, and most loud Complaints do they make of great Injuries offered by him to Prelates and their Popes especially, which the Authour of their secret History as one concerned, now and then Inculcates and promises he would declare in particulars; but either the Consternation of his mind, or Conscious nes that he had already done too much, or want of matter was the cause that he proved not so good as his word. Had *Justinian* been so infamous in either respect, the smell of his memory must have been too strong and Rank in the time of the sixth Council, to have made a perfume wherewith the Fathers intended to make themselves acceptable to *Constantine* there present in their Assembly.

Novo Justiniano æterna memoria. Act. 16, 17, 18.

72. But if Councils be fallible, let us come to Popes, and let *Alemannus* and *Baronius* put both sorts of Testimonies together. Pope *Agatho* one of their Canonized Saints, in his Epistle to the Emperour *Constantine Pogonatus*, to prove out of the Fathers, that two Natures are in Christ, adds; *And above all these, Justinian the Emperour of Holy memory, a zealous Defender of the true and Apostolical Faith teacheth this, whose Integrity of Faith did as much exalt the Christian Commonwealth, as by the sincerity thereof it was pleasing unto God: and whose Religious memory is esteemed by all Nations worthy of Veneration, seeing the Integrity of his Faith set out by his Imperial Edicts, is spread abroad and praised in the whole World.* So *Agatho* with whom consented and joyned the whole Roman Synod, consisting of one hundred twenty five Bishops, in a Synodal Letter written to the same Emperour *Constantine*, wherein they exhort him to imitate the Piety and Vertue of *Constantine*, *Theodosius*, of *Martian* and *Justinian* the Great, *the last indeed but the most excellent of them all, whose Piety and Vertue restored all things into better order.* Thus is *Justinian* set forth in the Letters of *Agatho* and his Synod, which the sixth General Council hath approved in these words: *Peter* spake by the mouth of *Agatho*: *We all consent to the dogmatical Letters of Agatho, and to the suggestion of the Holy Synod under him, consisting of one hundred twenty five Bishops. Constantine* in the name of the whole Council saith, *We all with one heart and voice believe and profess, and admire the Relation of Agatho, as the Divine voice of St. Peter.* And of his Epistles *Domitius* Bishop of *Prusias* adds. *I receive and imbrace the suggestions of the most blessed Agatho, as inspired by the Holy Ghost, as uttered by the mouth of St. Peter, and written with the fingers of Agatho.* Thus by the Testimony of Pope *Agatho*, and an whole *Roman* Synod, confirmed by the sixth General Council, to be as certain and true as if St. *Peter* or the Holy Ghost had uttered the same; *Justinian* is declared to have been not onely for Faith Orthodox, but for Vertue and Piety renowned, and held in veneration by all Nations, and praised of all the World; and to have been more excellent than even *Constantine*, *Theodosius* and *Martian*. It's an even wager those Fathers had never seen our Secret History.

Præ omnibus autem vera & mirabilis Apostolica fidei pia memoria Justinianus Augustus, &c. Extat apud Act. 4. Concil. General. 6.

Ibid. p. 21.

Extremi quidem præstantissimi tamen omnium.

Act. 18. Serm. prosth.

Et Act. 15. 8. 6. Act. 18. p. 93.

Act. 8. p. 29.

Sect. 3. 73. Of Authours who wrote in later times *Aimonius* giveth him this farther testimony, that *He was for Faith Orthodox, for Piety renowned, a marvellous lover of Equity, and therefore all things co-operated to his Good, and he governed the Empire in an happy manner.* The true *Paulus Diaconus* saith to the same purpose, that *Justinian governed the Empire in an happy sort, and was a Prince for his Faith Catholick, in his Actions upright, and just in Judgment; and therefore all things concurred to his Good.* Others (that we may not be too tedious) give him large Epithets for Piety and Vertue, but *Wernerus* his words are to be taken notice of, who writes, that *He was in all things most excellent, for in him concurred three things which make a Prince truly glorious,* viz. *Power, by which he overcame his Enemies; Wisedom, by which he governed the World with just Laws; and a Religious Mind towards God's Worship, by which he glorified God, and beautified the Churches. Platina* speaking of *Justinus* his Successour, saith, *He was in nothing like to* Justinian, *for he was covetous, wicked, ravenous, and a Contemner both of God and Men;* Whence it must follow that according to him *Justinian* was bountifull, just, religious, and one that had regard both to God and good Men. The *Chronicon Reichspergense* testifies, that *He performed many things profitable to the Commonwealth, and so ended his Life. Munster* writes of him, that *He was a just and upright Man, and in finding out matters ingenious.* And we shall conclude with *Sigonius*, a man as diligent in searching out truth, and as industrious in turning over the Libraries of *Italy*, as the best, of *Justinian's* Ill-willers, who ends the Story of his Life, and of the Western Empire, with this testimony of him, that *He was a Man deservedly to be reckoned amongst a few,* (or, that there were but few such Men) *for he was a Prince renowned both for War and Peace, a famous restorer of the ancient* Roman *Glory, and without doubt the last as well of the Good as the Valiant Emperours of the East.*

De gestis Francorum, lib. 3. c. 8.

De gestis Longobardorum, l. 1. c. 25.

Ann. 504.

Ann. 565.

Cosmogr. lib. 4. in Justiniano.

Vir inter paucos meritò numerandus, quippe Princeps bello, pacis inclytus ac veteris Romanæ gloriæ Instaurator eximius, ac sine dubio bonorum simulac fortium Imperatorum Orientis extremus.

74. And yet his Friends must not deny, but that many Faults were committed during his Government. His Dominions were so vast, that various Accidents must needs fall out, and his Reign so long, that often necessarily must they have been repeated. Those that see by the Eyes, and hear by the Ears of others, have the least ground to pretend to Infallibility. Therefore no very great wonder it is, if one go about to reconcile the passages, which at first seem to have been very dissonant, if not contradictory. He might be good himself, and yet have the fortune amongst so many various Employments as the Empire afforded, to be ill served. His inclinations might be right and just, but diverted by the importunities and petulancy of an evil Wife, even good men, who are unfortunate in that kind, yielding often to that for quietnes sake, which, if left to themselves, they would never have practised. At such distance it's impossible to assign and mention those particular Causes and Reasons of his Actions, which might possibly be justified, were they known. And for other Authours, whose Testimonies *Alemannus* produceth to strengthen the Character given by this Secret History, *Suidas* and *Euagrius*, most of them wrote after, and received their Intelligence from them. *Agathias* doth industriously apologize for *Justinian*, and affirmeth, that the decay of Discipline amongst the *Scholarii*, or Pretorian Bands, began before his time, in the Reign of *Zeno* the *Isaurian*. Whereas the Secret Historian talks so much of his savage Cruelty, it appears rather, that he was too mercifull, from the Authentick Writings of *Procopius*, who affirms, that he suffered the ill Officers of his Armies to go unpunished, and relates how *Artabanes* and his Complices, though they had conspired against his very Life, were dismissed without any great harm received. As for *Theodora*, he tells us, that she was alway inclinable to assist distressed Women. And that she was so beautifull, that no skill of Man was able to set it forth in words, nor by any Image or Resemblance to declare it. If therefore *Justinian* was overcome with her Beauty, and sometimes let her reign as the Mistress of his Affections, he is to be blamed, but no man will say he submitted to her humour out of malice, or for want of good Nature.

A Character of the Secret History.

Justinian's Buildings magnificent.

Goth. Hist. l. 3.

Ἡ μὲν οὖν εὐπρεπὴς ἐγένετο, ἀλλὰ τῆς βασιλέως διαθέσεως τὸ κράτος ἐπὶ τὰ χείρω ἐτρέπετο· ἐπεὶ αὐτῇ ἐξουσίαν ἐνεποίησεν ὁ ἀνήρ.

Ἰω τε θεᾶσαι καὶ ἐνθλιμμαι ἀκριμισθῆς ἀνθρώπῳ γε ὄντι παντάπασιν ἀδύνατον. *Procop. Edific. l. 1. de statua Theodoræ à Byzantiis posita.*

75. These things may justly move some doubt, whether indeed *Procopius* was Authour of this Secret History. We have little for it but the Testimony of *Suidas*, such as it is. There is neither Name nor Title to encourage us to believe it. *Nicephorus*

Sect. 3. *cephorus* indeed saith, he wrote a Retractation of some things, wherein he had too lavishly commended *Justinian*; but this is ten times more than a Retractation, such a streightning of his Pen as makes it more crooked on the other side. Such a rude, unpolished and disorderly piece of stuff, seems rather the brat of some *Sciolus*, and Pretender of those times, some Corner-creeper that was very much displeased with the Emperour. Upon the account of Religion, and the three Chapters elsewhere to be spoken of, some learned and judicious Men do conclude, that *Euagrius* bespattered him in that manner, as we find in his History. And here we find our Writer sometimes complaining of *Justinian's* siding in Religion with the adverse Party, his sticking to the Council of *Chalcedon*, and persecuting those that were not of his Opinion. But be the Authour of it *Procopius*, or any other, this particular Censure following must stick to the Book. Part of the matter therein contained (of the manner or contexture we have already spoken) is true, and inexcusable. Part of it is true, and may admit of Excuse. Some of it is utterly false, some of it inconsistent and contradictory, and some of it extravagant, and out of all measure ridiculous. For the first, it may be granted that *Justinian* was too much addicted to his Wife, and that he too much favoured the Faction of the *Veneti*. What in private Men may be called indulgence, in this kind, in Princes is great Injustice, when the Passions of Women come to have influence into Affairs of State. That he suffered *Theodora* to persecute *John* the *Cappadocian* in that manner, he is to be blamed, because possibly he did it more out of compliance with her desires, than for the merit of the Man; and yet this is the censorious Judgment of *Procopius*, and we must take his word for it, who though he grants the Man did deserve as much or more than he suffered, yet affirms *Justinian* to have had a more than ordinary kindness for him. His too much siding with the factious *Veneti* cannot be excused, although it was the custome of his Predecessours to addict themselves to one of the Parties. *Vitellius* was of the same Humour, who slew several of the common sort, because they had cursed the *Venetian* Faction, taking for granted that they did it in contempt of himself, and out of hope of succes of some new Design. On the contrary, *Caligula* as much favoured the *Prasini*.

Suetonius in Vitell.

Lib. 59.

76. Besides, the demeanour of the *Prasini* was sufficiently petulant and provoking. Tumultuously and saucily they demanded Justice against *Calopodius* and *Spatharius* in the open Cirque, as appears by what *Theophanes* wrote concerning the Sedition called *Nica*, which *Alemannus* * hath published out of the *Vatican* Library. His lavish expences of the publick Treasure both upon Buildings and the Barbarous Nations, seem deservedly to be censured. His Buildings were vast, and highly magnificent, and could not be the product of so base and ignoble a Spirit, as the Secret Historian makes his to have been, however it be very true, that great Spenders must be one way or other great Scrapers, for nothing is more deceitfull than Building, wherein we see it commonly happen, and even to wise Men themselves, that the Expences at length double or treble the value of what they first designed. Indeed he left infinite Monuments, either of Piety or Magnificence, in this kind, and that first in Building new, or repairing old Churches decayed: The Church called *Sophia*, built by him at *Constantinople*, was the mirrour of all Ages. Of this *Procopius*, so great an Historical Saint with *Alemannus*, for his Liberty, Veracity and Hatred of Flattery, as an Eye-witnes, testifieth, *That the Magnificence thereof amazed all that saw it, and was incredible to those that saw it not. That the Height of it mounted up to Heaven, the Splendour of it was such, as if it received not light from the Sun, but had it in it self; the Roof was decked with Gold. The Pavement beset with Pearl. The Silver of the Choire alone amounted to four Myriads, and it was thought to have excelled the Temple of* Solomon. Besides this, he built every where throughout the Empire so many Houses, to the Honour of the Blessed Virgin, so stately and sumptuous, that *Procopius* tells you, should you but view and consider onely one of them, you would think his whole Reign to have been employed in building that alone. At *Constantinople* he built three of this sort, one in *Blacherius*, formerly mentioned, another in *Pege*, and a third in *Hierio*; besides others, built in Honour of *Anna*, of *Zoa*, of St. *Michael*, of St. *Peter*, and *Paul*, and of *Sergius*, and *Bacchus*, (both of which, in the brightnes of Gemms, excelled the Sun) of *Andrew*, *Luke*, *Timothy*, *Acatius*, *Mocius*, *Thirsis*, *Theodorus*, of *Tecla*, and *Theodota*, all which he raised from the very Foundations, with that at *Constantinople*, the Beauty and Dignity of which cannot by words be expressed, nor by the Eye sufficiently discovered.

*Vide Aleman. in notis, p. 61, &c.

As Churches.

De Ædif. Justiniani, l. 1.

Gl. Glicas Annal. part. 4.

Templum hoc deforisit versibus Paulus, Cyrus, Florui nobilissimus Poeta de quo videndus Agathias, lib. vet.

77. He built like magnificent Churches also in other Cities, as at *Antioch*, *Sebastia*, *Nicopolis*, *Theodosia*, *Tzani*, *Justinianea*, where he was born, at *Ephesus*, *Helena*, *Nicæ*,

Sect. 3. *Nice*, at *Pythia*, and one at *Jerusalem*, so wonderfull rich and stately, that none other might compare with it; besides, at *Jericho*, Mount *Gerizim*, Mount *Sinai*, at *Theopolis*, at *Ægila*, (where even to that time they had sacrificed to *Jupiter Hammon* and *Alexander* the Great,) at *Boreion*, *Tripolis*, at *Carthage* and *Gades*, or *Hercules* Pillars, the utmost border of the known World, in those days. We should be too tedious, if to these we added the many *Xenodochies*, *Nosodochies*, and
Hospitals. other like Hospitals, which he not onely erected, but enriched with large Revenues, being for number equal, and for Expences, it may be supposed, greater than the former, the particulars whereof the Reader may at his leisure perufe, and consider, in the Books of *Procopius*, written on this Subject, who, meditating on these and other Works, affirms of *Justinian*, That *He was never weary or satiate with honouring God*; quite contrary to what the Secret Historian alledgeth, that he was never satiate with tormenting, persecuting and destroying of Mankind, for which yet as it appears, he took great care in providing Hospitals and places of Refreshment for the distressed. But besides the vast expences made in these Buildings, certainly whatever the Secret History alledgeth of his starving his Wars, the recovery of those great Nations the Empire had lost, put him to infinite charge.

78. For he built and repaired their ruinated Cities, erected Castles, Forts and places of Munition, which he furnished with the Commodities of Water, Walls, Promontories, Havens, Bridges, Baths, goodly buildings, and other matters, serving either for the necessity or pleasure of Habitation. In *Media* he fortified *Daras*,
Cities and Castles. in *Persia Sisauranon*, in *Mesopotamia Baros*, in *Syria Edessa* and *Callinicum*, in *Commagena Zenobia*, in *Armenia Martyropolis*, in the other *Armenia Theodosiopolis*, in *Tzani Burgunocia*. He made, as *Procopius* tells us, all *Europe* inaccessible or unconquerable by Enemies. *Taurestum*, where he was born, he exceedingly inlarged & beautified and fortified, calling it *Justinianea*; the like he did to *Ulpiana*, which he called *Justinianea secunda*, and near to it built *Justinopolis*. He repaired all *Epirus*, *Ætolia*, *Acarnania*, and fortified all *Greece*, as he did *Thessalia* and *Eubœa*, which he made absolutely inexpugnable and unconquerable, as our Authour affirmeth. The like he did in *Thrace*, *Misia*, *Scythia*, *Libya*, *Numidia*, and at the very *Gades*; in the recounting of which, and other Buildings, time would fail; but they may be read in *Procopius*, who concludes, that *None ought to doubt, but that* Justinian *fortified the* Roman *State with Forts and strong Holds, from the East to the West, and the very utmost borders of the Empire.* In admiration of these works he calls him, *The Repairer of the World*, and adds this remarkable saying, that *There hath not been in any Age, nor among all Men, one more provident and more carefull for the publick good than* Justinian, *unto whom nothing was difficult, no not to bridle and confine the Seas, to levell the Mountains, and overcome those things which seem impossible unto Man.* *Euagrius* who upon the Account of the three Chapters, is rationally thought to have born him malice, summs up all thus: *It's reported of him that he restored an hundred and fifty Cities, which were either wholly overthrown, or exceedingly decayed, and that he beautified them with such and so great Ornaments, with Houses both private and publick, with goodly Walls, fair and sumptuous Buildings and Churches, that nothing possibly could be more magnificent.*

Vide Procop. ubi supra, lib. 2, 3, 4, &c.

Lib. 4. c. 18.

Other Expences not inexcusable. 79. The other great Expences he made were the Gifts bestowed on the Barbarous Nations, and this the Authour of the Secret History exceedingly urgeth, as a demonstration of his mad Prodigality, Cowardise and Baseness of Mind. But *Agathias* looks upon it as a good expedient, for saving both Treasure and the Lives of his People. And whereas that Authour exclaims so much against his Custome of setting them together by the Ears, and making them sufficient work at home, he seems to pretend not onely to wonderfull accurateness and refinedness in Piety, but in Policy also, which he would have so strait laced, as no Princes or Souldiers would ever endure the like. He might have known this was no new Invention of *Justinian*. *Tacitus*, that judicious Historian, long before him, affirmed, that the best way to conquer the *Germans*, the Nations beyond the *Rhine*, was to set them at odds amongst themselves, and their quarrelling would be the preservation of the *Roman* Empire in its greatest difficulties. What our Corner-creeper so much inculcates of his unnatural cruelty, and a venomous or pestiferous Nature, in being the death of so many People, as well Barbarians, as his own Subjects, nay of exceeding herein all men that ever were upon the face of the Earth, raises at the first view sufficient censure and indignation. If he procured the Distraction of the *Hunnes*, was it not the destruction of those *Hunnes* who endeavoured to destroy both him and all his People, and made such Slaughters and Devastations in all his Provinces, by their frequent and constant incursions? As for the great Depopulations

Duret gentibus (transferendis) & non amor Romanorum at certe odium sui quando urgentibus Imperii fatis nihil præstare fortuna maius possit quam hostium discordiam, lib. de Mor. German.

lations that were made in *Africk* and *Italy* by occasion of his Wars, had it been any other Prince that had made these Wars, no doubt but our Authour would have in part excused him. These Provinces were lately Members of the *Roman* Empire, and *Justinian* is generally extolled and magnified for recovering them to the Body; neither could the *Vandals* or *Goths* plead any legal prescription. What he so much rails at in *Justinian*, he would scarcely have blamed in *Alexander* the Great, or *Julius Cæsar*. If he must be accounted a common Plague, a *Dæmon* incarnate, and a bloudy Tyrant, for making such Wars, and upon such grounds and occasions as he did, what would become of the Memories of most of the warlike Princes, that have been since the World began, upon so severe a scrutiny? Because in all things he was not an accurate Saint, our Writer for this very Reason will have him a perfect Devil. Sect. 3.

Vide testimonium Alemanni in præfat. initio.

80. If the Nature of our design permitted us to examine all particulars, though the great distance of time, and want of perfect Intelligence, forces us upon great disadvantages, yet it might be easie to discover the falseness of his Allegations, and the extreme Malice of the Writer; we shall instance in a few. First for *Amantius*, whom our Authour will have put to death by procurement of *Justinian*, one-
Particular falsities in the Secret History. ly for speaking abusively of *John* the Patriarch; it appears evidently from others, that being an Eunuch, and so incapable of the Empire, he endeavoured to compass it for *Theocritus*, his familiar, and thereupon, as guilty of Treason, was executed by command of *Justinus* the Emperour. Some add farther, that he was a notorious *Manichee*, and thereupon by the *Tyrians* was called the Rebel against the Trinity, and by the Inhabitants of *Constantinople* was sirnamed *Zummas*, from an eminent *Manichee* of that Name. *Alemannus* his Conscience would not suffer him but he must needs acknowledge so much, and he onely makes a frivolous excuse, that perhaps occasion was taken from this injury offered to *John* to put him to death, as if some words spoken against a Bishop, which could be no Treason, could afford a more warrantable excuse for his death, than the Conspiracy of a designed Usurpation. As for *Vitalianus*, whom *Justinian* so perfidiously slew, as our Secret Historian inculcates, *Euagrius* lays the whole matter upon *Justinus*, his Uncle, never mentioning *Justinian* in the case. But this was that *Vitalianus* who had endeavoured to usurp in the days of *Anastasius*, and therefore *Euagrius* tells us, he suffered punishment for the heinous offences he had unadvisedly practised against the Empire of *Rome*. *Theophanes* therefore ascribes his death to the People of *Constantinople*, of whom he had slain many, at such time as he rebelled against *Anastasius*. Here it cannot seem so impertinent to put in our *Perhaps*, as the Reader may judge it was for *Alemannus*. Perhaps he who had once a vehement thirst after Sovereignty and the Imperial Power, might relapse into his former Distemper, and Relapses, as we see, are often deadly, and always dangerous.

Marcellinus. Euagrius.

Ἀνάνιος ὁ Τελληνος. *Hujus Amantii domus erat quæ deinde S. Thomæ Ecclesia fuit Constantinop. ut est apud Anatorem Origitinum C. P. & Zonaram confirmat. Vide Alemannum ipsum in notis, p. 22.*

Lib. 4. c. 3.

81. How malitious an Inference our Writer makes in the case of *Justinian's* falling in love with, and marrying *Theodora*, let any man judge, especially such as have been themselves subject unto that Passion. To grant she was a Woman of the Profession he makes her, yet, by the Testimony of the undoubted *Procopius*, she was a Woman of unparallel'd Beauty and excellent Wit, which the Secret Writer cannot but confess, though, good Man, as modestly as possible. But is the extravagancy of that Passion incident to none but the worst of Natures, to the most profligate Dispositions? If a Man cannot conquer that, must he needs be the slave of all other the most brutish whatsoever? So he, like a great Philosopher, concludes, that this sufficiently declared *Justinian's* Mind and Disposition, without any other token. For whosoever, saith he, refuseth not so to disgrace himself, and is content to appear so odious to the World, is in the ready rode to all villany, and having got a brazen Face, rusheth headlong into the greatest wickedness. But one would think the reflexion of the Rays of *Theodora's* Beauty could not have necessarily produced such an effect upon the Face of *Justinian*, though possibly they might have dazled the Eyes of as vertuous a Person as the Writer, without any such malignant Influence, if what *Procopius* (so severe an Authour) writeth of her be true, that he must have been more than a Man (perhaps *Justinian*, who was an incarnate *Dæmon*, might have done it,) that could either in words express her Beauty, or set it forth by any Image or Representation. The Man's Malice is as great in laying the *Epibole*, or Imposition, upon *Justinian*, as if he had been the Inventour and first Imposer of it, whereas other Emperours had used it long before, and *Anastasius* being once inclined by the Intreaties of *Sabas* to remit it, was again persuaded to continue it by *Marinus*, the *Præfectus Prætorio*. Of this we have written abundantly in our Second Part.

Ἀλλὰ τὰ μὲν ἐσθῆτι ἢ ἄλλῳ τῳ ἀνθρώπων τῶν ἐς κάλλος ἐπαινουμένων ἐς ἀκριβῆ ἔλεγχον ἐλθεῖν οὐκ ἔστιν. ἐπεὶ καὶ ἀνὴρ ἐς ἀφροδίσια ἐπιτήδειος, καὶ γυνὴ ἐς ἔρωτα εὐάλωτος, ἐς τὸ αὐτὸ ἥκουσιν. ἐπεὶ καὶ ἀνὴρ ἐς ἀφροδίσια ἐπιτήδειος, καὶ γυνὴ ἐς ἔρωτα εὐάλωτος, ἐς τὸ αὐτὸ ἥκουσιν. &c.

Ἐπεὶ αὐτῇ ἡ συγγένεια πόθῳ τε ἐρρύη, καὶ τὸ ἐπιθυμητὸν ἐκπλῆξαι ἀνθρώπου γε οὐκ ἐπιτήδειον ἦν.

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82. The Reader is farther to understand, that in this Tribute, (which was laid upon the Neighbouring parts, when any place by reason of Depopulation or adverse Fortune, was disabled to pay it's own share in the publick Taxes) Churches were also concerned. It happened about *Anastasius* his time, that the Collectours of *Palestine* wanting an hundred pounds of Gold of their wonted sum, which was to be raised of such indigent Persons, as were not able to pay it, were forced to exact it of the Inhabitants of *Jerusalem*, and the Church of the Holy Resurrection, as well as other Religious Houses was constrained to bear it's share. But in the Reign of the pious Emperour *Justin*, saith the Authour, at the Intreaties of *Sabas* and others, part of the Tribute was remitted. And at length the Residue was fully forgiven, through the Intercession of *Eusebius* the Priest, by *Justinian* the Emperour now Reigning. A Notorious piece of Injustice both for our secret Writer at first, and *Suidas* his Ape from him, as *Alemannus* believeth, to insinuate, as if the *Epibole* was never practised till the Government of *Justinian*. The Writer yet in Conclusion tells us, that this sort of Imposition most prevailed in the time of *Justinian*, and so secretly must grant that he was not the Authour of it, though he had said plainly, that in this Respect he was more cruel to his Subjects, than the very Barbarous Nations. *Alemannus* his Annotatour sensible of the Injury, and convinced that in this particular he was rather more mercifull than the other Emperours, (as appears in what he remitted to the places of *Jerusalem*, though he had much more Religious occasion for Money than they) strives yet to mince the matter, and diminish his Reputation in point of Clemency; alledging that the *Epibole* was remitted to the Ecclesiasticks of *Jerusalem* onely. And how knows he this? No Authour affirms it. Onely because no Writer mentions any other place or Person, to which it was remitted; therefore he worthily concludes, there was no such thing. But what if the Writings of *Cyrillus Scythopolitanus* had been lost, or he had never mentioned this particular of *Jerusalem*, would *Alemannus* thence have concluded that, because *Justinian* in general doth Inculcate the Payment of the *Epibole*, therefore he never remitted it to any place or Person whatsoever? It seems he would.

Vide Simeonem Metaphrastam & Cyrillum Scythopolitanum apud Alemannum in Notis, p. 100.

Lege Novell. 17. & 128.

83. We shall onely instance in another thing of this Nature which joyned with others, shews the falseness and Malice of this Corner-creeper, and that is, *Justinian's* neglect of the Aqueducts, which gave occasion to the many Slaughters which were committed while the People contended about Water. He ascribes the want of Water to the decay of the Pipes, and the Covetousness of the Emperour, or rather his Cruelty, and the delight he took in the Death and Destruction of his People. But *Theophanes* tells us another Tale, and writes expresly; that Water failed through want of Rain in the Month of *November*, and this caused Fights and Contentions about the Fountains, as also that in the same Year (*viz.* the thirty sixth of *Justinian's* Reign,) there was such scarcity of Water, that the publick Baths were shut up, and Slaughters were committed at the Fountains. And what if we bring proof, that *Justinian* did repair those Pipes? *Alemannus* produceth it for us, and cites an *Anonymus* Authour of a *Chronicon*, who writes that he made new, or repaired *Adrian's* Aqueduct; which that Prince had made in this City, long before the Seat of the Empire was thither translated. Although he did this at the beginning of his Reign, yet the secret Historian blaming him for this Fault in general, and making no exception, but describing him as wicked both in his beginning and afterward, cruel as well at the first, as at the last; griping and scraping ever, betrays sufficiently both his want of Charity, and Sincerity.

Μισὴ Νεαπόλεως ἀθεμίτοις πολὺ ὑπέβαλε χρήμασι· ἐπεὶ ὕδατος, ὃν χαλκῆναι πολλὰς ἐν τῇ ὑφ' ἡμῶν Γέφυρα λεγομένῃ ἐποίησεν, οὐδὲ σταλάδα τῷ ἀρχαίῳ ἐπήγαγε· ἀλλὰ τοῦτο μὲν ἀπέλιπε τὸ ὕδωρ. *Vide apud Alem.* Τοῦτο μὲν ἀπὸ τῶν τοῦ Ἀδριανοῦ ὑδάτων ἀγωγῶν, ὃν ἀπὸ Βαβέρου βασιλέως ἐπήνεγκε βασιλεὺς ἐπώνυμος τοῖς Βαρβάροις χαλεπὸς φόβῳ.

84. Now a Taste of his Contradictory Assertions; one will suffice, and that's about *Justinian's* Intellectuals. He affirms, he was wonderfully or supernaturally fooliſh, and like a dull or slow Ass, was easie to be led by the Bridle, moving or shaking his Ears also, as doth that kind of Animal: Yet all over his Book doth he speak of his extraordinary Sagacity and sharpness of Wit. *Alemannus* comes in at this dead Lift, and to solve the difficulty, distinguisheth of times, and saith, he means he was so stupid and fooliſh toward his latter end, as other Writers do testifie; having in his Youth been sufficiently active and sprightly. But this will not serve his turn: The words of his Writer, who pretends to have written his History, seven years before *Justinian's* Death, give not the least Ground for this Distinction. On the contrary he speaks there in general of his Parts, and Disposition, and upon occasion of his behaviour toward the *Prasini* and *Veneti*, betwixt which Factions fell out the great Tumults, and Disorders he mentions long before his old Age. And the better to paint him out, he compares him with *Domitian*, both for his outward Features and inward Disposition. He adds, that he was both wicked and easie to be gulled, Fooliſh and naughtily disposed, the greatest Dissembler alive, and yet exposed to the Frauds and

It's contradictory Assertion.

Ἦν δὲ ὁ ἀνὴρ εὐήθης καὶ εὐκόλως ὑπὸ τῶν ἐπιτηδείων ἀγόμενος· ὃν δὲ τῷ μακρῷ χρόνῳ ἀνοήτου τῶν ὅλων.

and Deceits of all Men. Then again after his confused Custome, he inculcates that this was his Temper, mixed of Folly and Naughtiness, being that which he knows not what Peripatetick Philosopher of old described, when he affirmed that as in the tempering of Colours, so in the Nature of man, things quite contrary might meet and be united. He affirms, that he was the most absolute Artist alive, in dissembling the Truth, concealing his Frauds, his secret Indignation, his double dealing, and his private Opinion, having Tears at command, upon any present occasion. And he had need call a Philosopher he knows not who to his Assistence, and to mix he knows not what, Stupidity or Stolidity with Sagacity, and the highest Art of dissembling imaginable: Certainly the humour of a *Proteus*, and the Temper of an Ass are no way agreeing. This Disposition of a Creature so dull, is not pliant enough for such turnings and windings, fit onely for a beaten Path, and a slow dreaming Pace. But can black and white both be mixed, and yet in the same parts, the same thing continue both Black and White, to as intense a Degree, as the Colours were before their mixture? By what Peripatetick Philosophy? It seems Stupidity and Sagacity, Sottishness and sharpness of Wit both flowed in the Brain of *Justinian*, as several sorts of Waters are said to do in some Rivers, without any mingling or Communication. For a man to be very Wise and very Fooliſh, very Prudent and very Imprudent; as to his Habit and Disposition, of very good natural parts, and very pityfull, mean, ordinary parts, half Witted like an Ass, or almost a natural Fool; is such Philosophy, as could proceed from no Brain, but one so confused, and immethodical, as was that of our great *Justiniano-Mastix*, or the Secret Historian.

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Its Ridiculous Assertion.

85. But it seems, he never Traded with the more sublime parts of Peripatetick Philosophy; else he had better understood the nature of Intelligences. So are wont to be styled, what others call *Dæmons* or Spirits, such as our Writer thought *Justinian* the Emperour to be Incarnate. Now possibly one may have heard of a wicked, but seldom of dull and stupid Intelligences: It's to be feared, that the *Incubus* begat him not all, but *Sabbatius* had also his share in the Generation, and that one part of his Brain was to be Fathered upon one, and the other part upon the other, which caused two so contrary Qualities in his Intellectuals. Had he been Prince of the *Dæmons*, as the pretty story of the Monk, and of *Theodora's* dream, would make him, certainly they would never have chosen such a Log to their King, if the Election had been at their Disposal. A Prodigy indeed that an Head of Air (as it seems his was, for he walkt often without any on his Shoulders) should have so much of Earthly Dregs and Dross in it: And that a *Dæmon* who had Power to change his own shape, and order his assumed Body as he pleased (so it seems he did his Face and Countenance) should so frame the Organs thereof, as to hinder the Operations of the understanding. And the wonder is increased if we consider his high place and calling; for surely that *Dæmon* who was condemned to sit at the Helm of the World, and enjoy the Sovereignty, and Magnificence of the *Roman* Empire, could not be of any of the lower Ranks, but an Arch-*Dæmon*, as our Writers fine stories tell us, or one of *Aristotle's* Intelligences, which turn about the Orbs, and with the Heavens give motion also to all sublunary Bodies. To be serious, Reader, although the Subject merits nothing but Laughter, and Merriment, it's evident enough, that our Writer thought him an Evil *Dæmon*, or Devil incarnate, a Fury, an Evil *Genius*, and that Plagues, Earthquakes, and Inundations he procured by some kind of supernatural Power, and Malignant influence; judge therefore of the Extravagancy, and Consequently of the Worth, Credit and Estimation of his writing, compare it with the Authentick Books of *Procopius*, and see if thou canst allow it to be his, in thy most inward and retired Thoughts. The *Asiatick* and flanting style indeed, shews it composed by one that lived either near his time, or by some other, very able in the Art of Imitation, but compared with that of his other Books, demonstrates, that if it was his, he either doated for Age, or was transported with Anger, and other unseemly Passions. There's Ground enough to suspect it the work of some Person incensed against *Justinian*, upon the Account of the three Chapters, which raised him many Enemies, as we shall see when we come to handle the Ecclesiastical matters of these times. If *Procopius* was the Authour of it: I shall not onely say with *Alemannus*, that methinks I see him through a Cranny writing in great Fear, starting and looking about him at the end of every Sentence, lest any body should see him; but before that, in the Habit of a Patritian prostrate at the Feet of *Theodora*, and beseeching her to afford him Justice in a matter of Debt, owing him by one of her Familiars. Then methinks I see her flouting him, and her self saying, Patritian, I hear her Eunuchs singing

Sect. 3. singing out, Thou art troubled with an *Hernia*, as he had appointed them; after which he retires home in discontent, breaths nothing but Anger and fury, and not being able to doe any thing else, takes this Course to be revenged both on her and *Justinian* her Husband, who it's probable, did also some other way disoblige him.

Repete Historiam ex p. p. 69. 70. Secret.

86. Whosoever was the Authour of the Book, from his Malice, and the mistake either of *Suidas* or his Transcriber, another Scandal hath risen concerning *Justinian*, which must by no means be passed over in silence. As he malitiously compares him to an Ass, so he hath been reported so ignorant that he was not able to reade, that he knew not so much as his very Alphabet. Several learned Lawyers as *Alciat*, *Budæus* and others have swallowed this down, and *Baronius* glad of such an advantage against him, without any Examination of the Truth thereof, runs away with it, and improves it to Ostentation. *Such an one as* Justinian *make Laws of Faith? An Abecedary Emperour, an illiterate Divine; utterly unlearned, who knew not how to Reade: Who could never reade so much as the Title of the Bible, no not the very first Elements, not his* Alpha Beta. *He on a sudden to become a pallitated Theologue: He to prescribe Laws to the Church:* And so he goes on in the same strain. But that this is a most lewd Lye, appears by several particulars. First its evident, that he used constantly the Conversation of the learnedest Bishops, or Priests of his time. † Every Night sitting up late, and Discoursing with them in his Study concerning the points of Christian Religion; which Conversation could not leave him so Rude and Illiterate. Then *Liberatus* who lived about his time, and bore him no Good Will; yet hath recorded that he writ a Book against the *Acephali*, or *Eutychian* Hereticks, in defence of the Council of *Chalcedon*, and that *Theodorus* seeing him so toyl himself in writing against Hereticks, told him, he should not trouble himself with writing Books, but maintain the Faith by publishing Edicts. *Isdore* testifies, that he published certain Books concerning the Incarnation of our Lord, and made a Rescript against the Synod of *Illyricum*, and the *African* Bishops, wherein he condemned the three Chapters: It would be too tedious to reckon up all the Testimonies of Writers, who speak concerning his Books written, and his Disputations in matters of Religion; and that he wrote himself, and used not the hands of other men, the Pontifical acknowledgeth as it is cited by *Tritemius* in these words: Justinian *the Emperour a Religious man, sent unto the Apostolick See his Profession of Faith written with his own Hand, testifying his great Love to the Christian Religion.* In regard of these (it seems excellent) Writings both Pope *Agatho*, and the whole Sixth general Council, which sate in the next Age of *Justinian*, reckon him in the same Rank, as we shewed before; not onely of Ecclesiastical Writers, but of venerable Fathers, with St. *Cyril*, St. *Chrysostome* and others.

Justinian was not an Analphabetus.

† Κἀκεῖνος ἀεὶ τοὺς λόγους περὶ τῶν τῆς πίστεως δογμάτων ἐποιεῖτο, ἐκείνῳ τε συνδιημερεύων καὶ τοῖς ἄλλοις ἱερεῦσιν ὁμιλῶν περὶ τῶν λόγων τούτων. *Procop.*

Apper. Sacr. in verb. Justinianus.

87. But not onely was he skilled in Theology, but in the other Arts and Sciences, which are Hand-maids to that Sovereign knowledge. *Agapetus* Deacon of the Church of *Constantinople*, and his Contemporary, affirms, *That happy time to be fallen out in his days, which one of the Ancients had predicted, when either Philosophers should be Kings, or Kings turn Philosophers:* Then saith he, *In respect of your Philosophy, you are esteemed worthy to Reign, and by Reigning you have not lost your Philosophy.* That this was not mere flattery, other Testimonies make more than probable. As for Example, to shew that he was skilled in Musick; *Theophanes* instanceth in a Greek Hymn, concerning the Divinity and Oeconomy of Christ, composed by him according to the Church notes, and sung at this day by the *Greeks* in their Service. In Architecture he was so expert, that as *Procopius* witnesseth, he himself designed and delineated the Models of many Buildings, and gave Rules and Directions to the Artificers; as in the Temple of St. *Sophia*, the Palaces in *Heræum*, and the Haven at *Constantinople*; the Church of the *Blessed Virgin* at *Jerusalem*, the City of *Daras* and others. For his skill in the Laws, not to speak of the Compiling of the Pandects, Code and Institutions, which may be objected was done to his hand by others, he himself composed many of his Novel Constitutions. This the secret Historian sufficiently testifieth, though without any Intention of doing him the least right in this Point, affirming that such Rescripts as were to be made in Answer to any Consultation or Petition, he did not commit to the *Quæstor* as the Custome was, but composed himself; and indeed many more were composed, both by himself and others, than are now extant in our Books. That which was made at the instance of *Sabas* against the *Samaritans* (mentioned in the 129*th*, as now we have them) he and *Tribonian* framed at the third hour of the day, in his Palace called *Magnaura*. Indeed his style is something harsh and favouring,

In Paræsi. Vide Alemannum in Notis, p. p. 87, 88, 89. qui Justinianum his argumentis ab hac Calumnia liberat.

De Ædif. l. 1. 5.

Vide quomodo Alemannus id probat in Notis p. 78. Et Cyrillus Scythopolitanus probat.

vouring of *Illyricum* his Countrey; they are full of Words and like the other Constitutions made in these times, have not that Elegancy which abounds in the writings of the Ancient Lawyers, yet extant in the Pandects, but have a Taste of the *Asiatick* flanting kind of Speech, peculiar to these Ages and Places. But although in Compiling other Laws, he used the help and Industry of learned Men; yet when they offered the Books to him, he saith, *Et Legimus & Recognovimus*, which the Gloss explaineth by a *Nos ipsi*, we our selves have Read and perused them.

Sect. 3.

Procem. ad Institut.

88. Therefore *Alemannus* here forsakes the Cause, and tells you it is a great mistake, that *Justinian* was an *Analphabetus*. That this Opinion had obtained for an hundred and twenty years, and no more, after the *Milan* Impression of *Suidas*, which yet was amended by *Demetrius Chalcondiles*, a man who very well deserved of the Greek Tongue. All the Vatican Copies, he saith, have Ἰουστῖνος, and not Ἰουστῖνος, and indeed there are many and gross mistakes committed in Books, in confounding these Names of *Justin* and *Justinian*, as appears from *Euagrius*, the Epistles of *Cassiodorus* and others. *Justin* was *Analphabetus*, and being towards his latter end grown Childish and stupid; this as well as other things might by mistake be ascribed to *Justinian* his Nephew, who for his excellent Endowments by *Theodahatus* King of the *Goths*, is deservedly styled *Sapientissimus Imperator* and *Princeps Doctus*, and as *Alemannus* witnesseth in an Ancient *Vatican Manuscript*, there is this to be Read: *The fifth Holy Synod of* Constantinople *in the time of* Justinian, Doctissimi Imperatoris, *The most learned Emperour.* To leave this therefore, and come from his inward to his outward Lineaments: He was of Stature more Tall than ordinary, of a Ruddy and pleasant Countenance, lookt cunningly, had large Eyes, and used the Razor, having a smooth Chin, as all the Pagan Emperours had till *Adrian*; who, as *Dion Cassius* saith, first began to wear a Beard, as afterward *Julian* the Apostate again broke the Custome, and for that was jeered by the *Antiochians*, against whom he wrote a Book called *Misopogon*. Yet after *Justinian*, the Greek Emperours generally wore Beards. The secret Historian tells us, he was very like the Emperour *Domitian*, whose Statue was standing in his time. But we know not how to trust him, because he makes the Wife of *Domitian* very unlike her self. He tells us, she was a good and honest Woman, that she injured or troubled no Man, and never approved the unjust Actions of her Husband, and that being mightily beloved, she was called into the Senate, and bid ask what she pleased: Whereupon she prayed the Fathers, that she might have leave to bury her Husband's body, and erect him one Crown Statue where she thought fit, which was granted her. Now the story of her Goodness, is contrary to what other Authours, both Greek and Latine, have written of her; who affirm her so good Natur'd and Honest, that she was privy to *Domitian*'s her Husband's death, as not onely *Dion Cassius*, but *Sextus Aurelius*, *Philostratus*, *Georgius*, *Syncellus* and others, of both sorts have related. And as for that other passage of her gathering his pieces together, into which the inraged People had torn him, *Suetonius* making a Narration for his Funeral speaks not one word of these things; but tells us, his Body was carried out in an ordinary Biere by the *Vespilones*, and buried in the *Via Latina*, by *Phyllis* his Nurse, in her own Suburb. But see the Ingenuity of the secret Authour: *Domitian*, he saith, had a very good Wife that opposed his Villanies, and yet was a cruel Tyrant: *Justinian* had a very bad Wife, which incouraged him in doing ill, nay provoked him to it; yet *Justinian* was as ill as *Domitian*, nay the cruelest Tyrant, and Monster that ever lived under the Sun.

Vide Aleman. Notas, p. p. 18. 36, 37, 122, 124, 125.

Vide Procop. Bell. Vand. l. 1. de Auth. Hist. Secr. p. 29.

Apud Cassiod. Epp. variar. lib. 10. Epp. 9. 22.

Vide formam Justiniani, apud Aleman. in Notis, p. p. 28. 77. Ubi hac.

89. When he signed any thing, he was wont onely to write the Letter I, which thereupon is called *Justinianus Apex* by *Corippus* the Poet. Yet his Uncle not able to write his own Name, as the secret History assureth us, had four Roman Letters cut in Wood, wherewith he was wont to sign, being first moistened with that Colour, which the Emperours used in such Cases. This was purple, called in our Books *Sacrum Encaustum* (at this day in *Italy*, *Enchiostro*) which was kept in a Standish, in Figure representing a little Dog; from which he that had the Custody of it, and brought it still to the Prince, was said to be *à Caniculo*, being ordinarily one of his most inward Councellours, and a near Kinsman. But although *Justin* signed with four Letters, as the Ancient *Romans*, some Names with three, others with two, and some but with one, as *Justinian*, yet afterwards the Eastern Emperours usually put to their whole Names; but the Letters thereof were folded in strange and secrets Knots and Implications, as appears in their ancient *Diploma's*, like to those which our People have lately got upon their Coaches. But to make an end with *Justinian*, as it's more than time, by his Wife *Theodora* he had a Daughter, of which was born, as seems from the secret History, *Anastasius* whom his

C. l. 6. de diversi. Rescript.

Vide Alem.

Una litera ut. M. T. C. duabus ut Cæs. tribus ut Ser.

Sect. 3. Grandmother privately married to *Jannina* the Daughter of *Belisarius*, without Consent of her Parents. He had also a base Son called *Theodorus Zirus*, born after the death of *Theodora*, if we may believe *Theophanes* a *Byzantine* Historian in *Photius*; and yet *Constantinus Manasses* hath written, that he neither had Sons nor Daughters, nor any to succeed him. He was born on the fifth of the Ides of *May*, in what year is uncertain, as also how long he lived, but the most probable Opinion is, that he died about eighty. His death fell out on the Ides of *November*, after he had Reigned nine and thirty Years, seven Months and thirteen Days, reckoned from the Calends of *April*, in the Consulship of *Mabortius*, when he was declared *Augustus* by his Uncle, and his Collegue in the Empire. Concerning the manner of his Death, there is nothing extant in any ancient Authour. Some later Writers tell a story, that he died distracted; but the Ancient Historians affirm the same thing of *Justin* his Nephew, and so his Memory is ill treated amongst them, some ascribing to him the Ignorance and Dotage of *Justin* the Elder, and others the Madness of *Justin* the younger, by reason of the likeness of their Names. But what he was in his Life, we have given an Account more large than we desired, and more out Respect to Truth, and Impartiality than him; although *Alemannus* thinks Lawyers to be partial to his Memory. His Reign was very full of Action, and the particulars of his Wars so remarkable, that they were not to be slightly touched. For his Morals, the utmost that can be said, for or against him; the Reader hath before his Eyes, and let him make such a Judgment and pass Sentence, as he shall think most suitable to the Subject. Here with him we are to take leave of *Procopius* his Historiographer, an Account of whose Person and Writings we deferred to this place; because of the secret History said to be written by him.

What issue he had.

His death.

Vide Alem. qua supra.

Sabellicus & Ostervius à Reflexbergh.

Ut Menander Protector illius ætatis Historicus, l. 2.

90. *Procopius* was born at *Cæsarea* a City of *Palestine*, and came to *Constantinople*, in the days of *Anastasius* the Emperour, where he was presently taken notice of, being a Person of very good parts, general learning, and of singular Prudence. *Justin* the Elder being in great straits, by reason of the *Persian* War, preferred him as a Councellour to *Belisarius* the General. *Suidas* styles him his Secretary, but he himself who had best reason to know his own Employment, saith he, was his Assessour. Of what Profession he was, for he arrived at this and other places of Trust and Honour, Writers do not agree. *Blondus* and *Sabellicus* of later times, have fansied him a Physician. But *Euagrius*, *Agathias* and *Photius* call him a Rhetour, an Oratour, or a Pleader of Causes; and indeed he was a Lawyer, Men of this Profession being usually preferred to be Councellours or Assessours to Generals of Armies and others of the greater sort of Magistrates. *Justinian* coming to the Government continued him in his Employment, being hardly permitted to remove from the Elbow of *Belisarius*, either in the Expeditions of *Africk* or *Italy*, so highly was he valued. No sooner was the General recall'd out of *Africk*, but he was sent to *Carthage* to *Solomon*, the then Commander in chief, to secure and settle the late Conquests. How he was particularly employed in *Persia* and *Italy*, at *Rome*, and *Naples*, he himself tells us; though indeed very modestly and onely as by the way, yet these and other Managements of Affairs purchased him such Repute in the Commonwealth, that being first made Illustrious, and then a Senatour, at length having published his Histories of the Wars, he arrived at the Prefectship of the City, in the five and thirtieth Year of *Justinian's* Reign.

An Account of *Procopius*.

Vide Alemann. in Præfat. & Notis ad Secr. Hist.

Τὸν ῥήτορα.

Πάντα.

Ille est Latinis orator qui causas in concione in foro in Senatu agit; his Rhetor qui in Scholis docet Artem Oratoriam ut benè innuit Hoschelius.

91. It hath been the fate of his Writings in later times, to be exposed naked and maimed to the World, though doubtless Correct enough when he first presented them to the view of *Justinian* and his Subjects, who received and Read them with extraordinary Favour and Applause. The first that committed any of them to the Press, was *Leonardus Aretinus*, who published his History of the *Gothick* Wars, but put a Trick upon the World very much unbecoming a Learned man. For he suppressed the Greek Copy, and concealing the Authour's name, set forth a Latin Translation of his own, pretending it was a Collection made by himself out of many Authours, and styled it *De bello Italico*, dedicating it to *Julianus Cæsarinus*. The Greek Copy, *Blondus Flavius* saith, was by his Industry first brought into *Italy*. But it wants some Passages, which have been since supplied, and he inveighs against some which are now found to be accurate and justifiable, and therefore was imposed on either by the old Manuscript, or by the Person that Translated it for him; and his Censure he might well have spared, seeing, as he Confesses himself, he was altogether Ignorant in the Greek Tongue. *Christophorus Persona* conceiving great Indignation at the Carriage of *Aretinus*, translated the History out of the Original, and did Justice to the Authour in publishing his Name; but his Edition is very Lame and out of Order. After them *Raphael Volateran*

His works.

Volateran published in Latine, the remaining Books of the *Persian* and *Vandal* Wars, but from as imperfect a Copy as *Persona*; for neither of them, though they were Library Keepers of the Vatican, made their Translations out of the Vatican Copy, which as *Alemannus* tells us, is complete in all Degrees. Sect. 3.

92. In what years the seven Books concerning the *Persian*, *Vandal* and *Gothick* Wars were published by the Authour himself is not certain, although he tells us, they were commonly known throughout the *Roman* Empire. Yet that a good part of them were come abroad, before the twentieth year of *Justinian*, and the Death of *Theodora* is evident, and all of them before his six and twentieth year as he himself relates at the beginning of the eighth Book, which he wrote in the twenty seventh. But the eighth Book, or the fourth as it is called of the *Gothick* War, hath no proper Title; for in it he comprizeth whatsoever happened to the *Romans*, as well from the *Persians* and *Vandals*, as the *Goths*; and therefore it deserveth rather the Name of a Miscellaneous or various History, as he styleth it. He published it well nigh as soon as it was finished, and afterward as *Alemannus* will have it, set his mind to Writing his Secret History; which yet for what cause we know not, he deferred till the two and thirtieth year of *Justinian*, in which year he finished it, (as well he might) and kept it concealed till the Death of the Emperour full seven years. But *Justinian* being much delighted with the Histories of the Wars, enjoyned him to Write another Treatise concerning the Buildings, which he did at the latter end of his Reign, and wonderfully celebrates him for his Magnificence therein; however the Secret History doth befratter him. These are the Books of *Procopius* now extant, of which *Nicephorus* his Partition is to be blamed, and it were to be wished, we had had *Photius* his Account of them in his *Bibliotheca* concerning his Religion, and his heterodox Opinions; the Reader if he please may consult *Alemannus* in his Notes upon the Secret History, on which he hath made a very good Comment, and thereby deserved well of Posterity, be the Text what it will.

Πολλῶν.

Περὶ τῶν κτισμάτων.

93. But see where are we now? What a Prospect doth here present it self. What a vast Empire have we beheld, what large Provinces, what Variety of Affairs relating both to Peace and War? Great Armies, great Performances, Strategems and Variety of Accidents, by which the Grandeur and Glory of the *Roman* Empire hath been revived. Behold what a Precipice! We are descending into low, mean and narrow Tracts, and shall find the Empire but short, and our selves straitned; the farther we pass, little of Action, and less of Performance. Whatever thou wast, the Greatness of Empire, the Glory of Majesty, the Power of Arms, the Efficacy of Laws, the Renown and Splendour of the *Roman* Name, in a manner died and was buried with thee O *Justinian*.

CHAP. III.

From the Death of Justinian *the Great, and the Promotion of* Justin *the Second, to the Death of* Heraclius, *when the* Saracens *began to grow terrible to the World.*

The space of seventy five years.

Justin succeeds his Uncle.

1. JUSTINIAN being Dead, *Justin* succeeded him, the Son of *Vigilantia* his Sister, and *Dulcissimus*; in the fourteenth Indiction, the seventh of *John* the *Roman* Patriarch, in the fifty first of *Clotarius* King of the *Franks*, in the DLXV year of our Lord.

Vigilantia nomen latinè inflexum Existimat Alemannus ex Illyrico nomine Biglenitza, quod Justiniani lim. natrix vocabulum fuit. Principius Graecorum more eam Biglinitzan vocat; sic apud Mauritium in strategicis Blyha & Bylleon vigilia, vigilare. Errores quos in Justiniani genealogia texendo commiserunt Agrolaus Pantaleon, Trithemius, vide tibi in diagrammate ob oculos positos apud Alemannum in Notis, p. 67. De initio Justini vide Baron. Quis memorare possit tanta miracula pompe?

2. His Uncle dying about midnight, he was raised out of his Bed by *Callinicus* the *Praepositus Excubitorum*, and advised to bestir himself for the Imperial Diadem. Coming then to Court, he found the Senate very ready to accept him for their Prince, and took immediately the Government upon him, while in the mean time his Relations take care of the dead Body of his Predecessour. *Sophia* the Neice of *Theodora* and her successour also in the Imperial Dignity, as the Wife of *Justin*, covers it with a very rich Cloth, wherein are imbroidered the Actions of the Deceased Emperour, and at length it's carried forth to Burial, with miraculous pomp, as *Corippus* the Poet phraseth it, who hath excellently described the manner thereof. But e'er the Body was Buried, *Justin* had taken the Ensigns of Majesty which he performed in a Religious manner, first making his Prayers to his Saviour, and then receiving the Benediction of *John* the Patriarch of *Constantinople*, with the Crown from his Hands. This Ceremony over, and the Acclamations made, he now seated in his Throne, makes a speech to the People, and perceiving some amongst them to make complaint of the Debts owing them by his Uncle, ordered them presently to be paid. He appeased the factious *Veneti* and *Prasini* with a courageous Message, bidding the *Mandator* (who was the Emperour's Officer in the Cirque, as the *Quaestor* was in the Senate,) tell the *Veneti* that *Justinian* as to them was Dead, and the *Prasini* that as to them he still lived, which having received, they became quiet and so remained afterward. But to please the People in general, he promised to restore the Consulship, and accordingly when the first of *January* came, he took upon him that Title, and gave a donative to them according to the ancient custome, going to Church there to worship Almighty God after the Christian manner, as the Pagan Consuls were wont to ascend into the Capitol.

Pontificum summus plenisque atate vestus

Astantem beneficiis eum, caritate parentum

Exorans Dominum sacro dicatum jussit

Augustum sacrice caput, summoque coronam

Imponens apici, &c.

Theophanes Vide Alem.

Vide Corippum.

He appeases the factions of the Cirque.

Takes the Consulship.

3. Such was the beginning of *Justin*, who so seemed to have established himself, that he feared not the Incursions of the Barbarous Nations. Not long after his entrance upon the Consulship, he gave audience to the Ambassadours of *Gaganus* King of the *Avari*, who came to demand the Pension formerly paid them by *Justinian*, to purchase the quiet of his Provinces; but *Justin* flatly refused to pay them any, and sent them home as empty as they came, threatning to chastise their Insolence with War, if they presumed to offer any violence to his Subjects. This perhaps he might be more bold to say, because *Photius* hath it in his *Bibliotheca* from *Theophanes* an Historian of *Constantinople*, that the *Turks* a people inhabiting the parts lying upon the *Tanais* toward the East, (of old called *Massagetes*, but by the *Persians* in their own Language *Chermichiconae*,) sent their Ambassadours to him with Presents, desiring him that he would not patronise the *Avari* their greatest Enemies. What success this Courage and Confidence of *Justin* had we shall see hereafter. His beginning was very good, had he but continued in the same course of Vertue, but he presently began to fall off into a voluptuous sort of Life, and to maintain

maintain and nourish the fire of his Lust and brutish appetite, (expect money together in any unlawfull manner whatsoever, selling and making money of all things, and without respect to that God he had at first pretended to much to honour, exposing to sale the Church preferments, even to the vilest sort of People. And he presently gave the world a notable sign of his intemperate mind, in publishing in his very first year several Constitutions concerning Marriage. By one he repealed the penal Laws of *Justinian* made against unlawfull Marriages, refusing to separate such as had contracted them. This bears date on the first of *January*; But a worse followed the next *September*, which made it lawfull to break any Marriages, the consent of the Parties first obtained.

Eutychius, p. 6.

Justin. Novel. Const. 3. apud Julian.

Apud Novel. Justiniani 140. tit. 23.

4. "In this Constitution he begins with a commendation of Marriage, as a venerable thing in respect of the procreation of Children, without which all Countries and Cities must at length turn Desolate, and all Commonwealths come to nothing. Therefore he wishes it were always so fortunate, that without just cause it need never be dissolved. But forasmuch as amongst such multitudes of people, it's impossible but that some times vehement and irreconcileable differences must arise, he thinks fit to find out a remedy for this Distemper, especially in such a case where the hatred betwixt Man and Wife are so great, that there is no means to be found for a Reconciliation. Now the ancient Laws permitted such to be divorced, provided it were done by consent of both Parties. And many such Laws there were, such a dissolution of Matrimoney was also said to be made *bonâ gratiâ* in the vulgar Tongue. But afterward that most Sacred Prince his Father, (who in Piety and Wisedom excelled all Princes that ever Reigned,) out of his own benign and constant temper and inclination, and a sense of the miserable and pusillanimous condition of others, made a Law that forbad Marriages to be dissolved though by consent, which he wishes heartily might remain in it's force and vigour. But many he saith had addressed themselves to him, and signified a great hatred and aversion they had to the matrimonial bands wherewith they were naturally incumbred, and (which is worse and ought seriously to be lamented,) great Bickerings, Quarrels, and Strifes, had already arisen as both Parties complained in way of Accusation, and therefore desired their Marriages might be nulled, although they could not alledge any Causes or Reasons allowable in Law for so doing. He tells us, he had sometimes lovingly admonished, and sometimes threatned, endeavouring to compose these differences, and end these distractions in an amicable way, not suddenly condescending to what they desired. But he nothing profited thereby, it being a thing exceeding difficult, to reconcile such as have conceived an inveterate hatred; for the breaches grew still wider, and some proceeded from Quarrels to Conspiracies, and at length it came to poysonings and other mischievous devices; so that sometimes it happened, that Children which ought to be Pledges of mutual Love, could not reduce them to a good understanding.

Hac constitutio exstat in Const. Justini quam non possis nisi iniquissimam & injustissimam dicere. l. 8. c. de Repudiis.

Reducitur Jus Verus, l. 60, 61, 62. D. de donat. inter vir. Nov. 22. c. 4. abrogata. Nov. 17. c. 10.

Bonâ gratiâ dicitur matrimonium dissolvi, quoties dissolvitur volentibus conjugibus.

Bonâ gratiâ idem est apud Tertul. lib. de Monogamia, amici spectatissima viduarii.

Sed ex bona gratia Matrimonium dissolvitur aliquando ex causa ut d. l. 60, 61, 62. interdum sine justa causa ut hic.

Remedies it lawfull to dissolve Marriages by consent.

5. "Forasmuch therefore, he saith, as these things are not at all convenient for the times wherein he Reigned, he betakes himself to this present Constitution, whereby he decrees and ordains that it be lawfull, as formerly it was, to dissolve Marriages by consent, and Repeals what formerly his Father by his Sanction had ordained against such as so solemnized them. For if mutual affection causeth Matrimony, with good reason the contrary Inclination by mutual consent dissolveth it; provided this be declared by bills of Divorce sent for the same purpose. Provided also that what by other Laws, especially by the sacred Constitutions of his Father, had been ordained concerning free Marriages, and the causes by which it was permitted to dissolve Matrimony, as also concerning them, who without any cause separated themselves, and the penalties inflicted upon them, by virtue of this present Constitution, retain their full effect, power and virtue. Then follows his Epilogue, whereby he enjoyns that, what by this Law he had declared and published, should after the wonted manner be exposed to the view of the people in the City of *Constantinople*, and he dates it on the eighteenth of the Calends of *October*. Now the Reader must know, that formerly this Constitution was taken for *Justinian's* being crowded amongst his Novels, but later Interpreters have discovered the mistake, and *Baronius* being in a very good mood, tells you he is wronged; forasmuch as *Justin* testifieth that the contrary to it had been decreed by *Justinian*. He tells you that you may nothing doubt hereof, you have the edition of *Julianus* the *Antecessor*, wherein this Constitution being recited is ascribed to *Justin* and not to his Uncle. And this he was obliged to say, to vindicate *Justinian* from the Calumnies which some have fastned upon him.

Jure veteri inter volentes quavis de causa permissum repudium.

Sed vide C. de Repud. l. 8.

Ad Ann. 565. num. XI.

6. How-

6. However *Justin* pleased the ordinary people by this new Law concerning Marriages, he disgusted all sober Persons by his bloudy Actions they ear following, putting to Death several men of extraordinary Eminency. The principal of these was *Justin* his Kinsman, of whom being employed much in the Wars we have often heretofore made mention. *Euagrius* writes, that *Justin* the Emperour being intangled with two contrary Vices, Foolhardiness and Cowardise, first commanded *Justinus* his Kinsman to come to his presence, a man of great Honour and Estimation, both for his great Abilities in War, and other rare accomplishments of his Person, who then resided about the River *Danubius*, to restrain the Incursions of the *Abari*. These *Abari* he tells us were a People of *Scythia*, and part of those called *Amaxobii*, inhabiting the Regions beyond *Caucasus*, but being driven out of their Countrey by the *Turks* their Neighbours, and variously infested by them, they came first to *Bosphorus*, and thence quitting the Coasts of the *Euxine* Sea, (inhabited by Barbarians, though the Cities and strong Holds were in the hands of the *Romans*,) they held streight on their Voyage, and subdued all Barbarous Nations before them till they came to the *Danube*, whence they sent Ambassadours to *Justinian* the Emperour. Hence now was *Justin* recalled to reap the benefit of the Agreement, as was pretended, made formerly betwixt him and *Justin* now Emperour; for seeming both to be of equal fame, and as well the one as the other, capable of the Empire, after long debates had about the Imperial Power, they covenanted betwixt themselves, that whethersoever of them were Crowned Emperour, should make the other the second Person in Honour, and though second in respect of the Emperour, yet he should be first in respect of all others. At first therefore that *Justin* who was preferred to the Empire, imbraced the other with counterfeit kindness, but by little and little forged Crimes against him, took from him his Guard and Train, commanded him to keep his House, and at length ordered him to be hurried away to *Alexandria*, where about midnight he was cruelly Murthered in his Bed, and received this recompence for the love he bore to the Commonwealth, and the notable Service he had done in the Wars. And yet by this were not the Fury and Rage of the Emperour and his Wife mitigated, but they must see his Head after it was cut from his Shoulders, and kick it with their Feet in an insulting and scornfull manner.

He turns Cruel.

Lib. 5. c. 1, 2.

Turcas veteres non ignoramus fuisse quidem eorum meminit Plinius & adnumerat eos inter eas gentes quæ circa Meotidem paludem habitarunt, horum etiam meminit Agathias, lib. 1.

Murthers *Justin* his Kinsman.

7. Not long after *Justin* called to Judgment *Addæus* and *Ætherius* two Senatours, and in great place and esteem with *Justinian*, accusing them both of most heinous Crimes. And *Ætherius* confessed he had designed to Poyson the Emperour, and that *Addæus* was of his Council herein, and conscious to all his Purposes. But with solemn and dreadfull Oaths, *Addæus* protested he was altogether Innocent, yet both of them lost their Heads. *Addæus* at his Execution confessed freely, that though he was not guilty of that Crime for which he was Condemned, in the least, yet he had deserved that punishment from the just hand of Almighty God, who both sees and punishes wicked persons; For he had by Inchantments made away *Theodotus*, Prefect of the Palace. Whether these things were so *Euagrius* is not able to say, but affirms that both these were wicked Persons, for *Addæus* was a Sodomite, and *Ætherius* devised all sorts of Calumnies against Innocent men, and under colour of serving the Emperour in his Office of Prefect of his Court, spoiled both the Living and Dead in the Reign of *Justinian*. So went matters at *Constantinople*, while all things were thought to be in repose in the Western parts, and especially in *Italy*, where the *Goths* and *Franks* had been lately defeated, so that no danger at all seemed to threaten that Countrey. But a great Noise was presently heard of Barbarians, that again were crouding and rushing into it, filling all places with terrour and amazement, and putting to silence all other motions, as great Thunders and Concussions are wont to suppress lesser sounds. These were the *Lombards* who were now making their expedition into *Italy*; upon what Inducements, and in what manner we come to shew after that we have first made some short Observations concerning the Original of this People, which grew afterward so considerable in *Italy*, and the name and fame of which is not extinct at this very day, their name sticking to their Countrey.

Puts to Death *Ætherius* and *Addæus*.

The *Lombards* invade *Italy*.

8. As for their Original then, it may without much difficulty be gathered out of ancient Writers, that the *Vandals*, *Ostrogoths*, *Westrogoths*, the *Gepidæ*, and *Lombards*, all owe their descent to the Island or rather Peninsula of *Scanzia*. As also that the *Goths* properly so called, and the *Gepidæ* and *Vandals* were of the same *Gothick* stock, and that the *Longobards*, or *Lombards*, or *Longbeards*, (for none doubts but that from the length of their Beards they had their Name,) were descended from the *Gepidæ*. These *Gepidæ* were so called, because when the *Goths* made an expedition

The Original of them.

Plinio dicitur Scandinavia, Ptolemæo Scandia, Jornandi Scandza, Procopio Thule. Continet partem Norwegiæ & Dania. Gepaii Germanis lingua qui meant tradit.

expedition out of *Scanzia* in three Ships, they sailed slower than the rest, and staid in an Island of the River *Vistula*. Yet from their roving and wandring abroad were they also named *Winili*, the same as to signification of the word with *Wandali*, a diverse pronunciation of the same word, which usually happeneth in process of time making it be taken for several. These *Winili* or *Langobards* being grown in the Island to such a multitude, that it could not maintain and nourish them all, divided themselves into three parts, one whereof, on which the Lot should fall, must seek themselves out new Habitations. Forced therefore to quit their Native Countrey, they chose two Brothers for their Captains *Ibor* and *Ago*, the Sons of one *Gambara*, a Woman very eminent for her Wisedom, and came into a place called *Scoringa*, where they remained for some years. At this time it happened, that the *Vandals* infested all the Countries adjoyning, and puffed up with their success, sent to the *Winili* requiring them either to pay Tribute, or instantly prepare themselves for War. *Ibor* and *Ago* the two Captains, by the advice of their Mother, returned answer they would fight rather than live in Servitude, considering that although their followers were not many in number, yet active and courageous, being as themselves in the flower of their Age. Acted by this natural heat and vigour and a consideration of their liberty they fought so stoutly, that they obtained a Victory over the *Vandals*; but being sorely distressed with Famine, they resolved to quit *Scoringa*, and find out some better Seat.

Vide Grotii Prolegom. in Histor. Goth. Vandal. & Langobardorum.

Paulus Warnefridus Langobardi filius Diac. mutilensis de Gestis Langobard. lib. 1. c. 1, 2, &c.

Under Conduct of *Ibor* and *Ago* they fall into *Scoringa*.

9. Making then for *Mauringa*, the *Assipitti* denied them passage through their Territories, at which being much troubled, and fearing their small Numbers would not be able to make good the Attempt, they betook themselves to a Strategem, and raised a rumour amongst their Enemies that they had amongst them, *Cynocephali* or men with Heads like to Dogs, who fed on Man's bloud, and when an Enemy was wanting, on their own. To strike a greater terrour into the *Assipitti*, they inlarge their Camp, and kindle many fires, which with the other report so terrified them, that they had not the Courage to Ingage, but having one amongst them of great esteem for strength and Courage, offered him to fight with any one of the *Lombards* whom they should pick out; if their Champion overcame, the Passage should be denied, but if the *Lombard* should be Victour, then should it be granted free and without molestation. When the *Lombards* considered who to chuse, a certain Slave offered himself, desiring that in case he overcame, the ignominy of Slavery might be taken away both from him and his Family, which granted, he fought and overcame his Adversary. Then did the *Lombards* pass into *Mauringa*, where to increase the number of Warriours they manumitted many Slaves, and making no long stay there, they proceeded to *Gotland*, where having staid also some time, they possessed themselves of *Anthabet*, *Bathaib* and *Vurgundaib* for some years, which *Paul* conjectureth to be names of certain Towns or Places. In this mean time Died *Ibor* and *Ago*, who first brought them out of *Scandinavia*, and had governed them till now.

They Pass into *Mauringa*.

10. They being Dead, the *Lombards* resolved to have no more Captains, but a King to govern them after the manner of other Nations. They made choice therefore of *Agelmund* the Son of *Ago*, who exercised this Office three and thirty years. At this time it happened that a certain Strumpet was delivered of seven Boys, which she cast into a Fishpond, and thither by chance in his way came King *Agelmund*, who espying the Children stopt his Horse, and stirring them with his Spear, it fortuned that one of them took fast hold of it with his hand. The King amazed thereat, foretold he would be a more than ordinary man, and commanded him to be taken up and delivered unto a Nurse, calling him *Lamissio*, from *Lama*, which in their Language signified a Fishpool. When this *Lamissio* was grown up, they reported that the *Amazons* forbad the *Lombards* to pass a certain River, whereupon it was agreed, that the most valiant amongst them should fight with him in the Water swimming, on condition that if the *Amazon* overcame *Lamissio*, the *Lombards* should withdraw, but if he got the better, they must then have free passage. He fought with her and got the Victory, as the fable went, and the *Lombards* passing the River, still made farther progress, till growing secure through their constant Success, the *Bulgares* fell upon them by Night, and wounding many killed some, amongst whom fell *Agelmund* their King, and his onely Daughter was taken Prisoner. Yet the *Lombards* taking Courage chose *Lamissio* for their King, who being a stout and active young man, thirsted after nothing so much as to revenge the Death of his Predecessour, but at the first encounter, his men were worsted and beaten disgracefully to their Camp.

They chuse *Agelmund* for their King.

Lamissio quasi Lamiæ filius, Piscinæ filius.

After him *Lamissio*.

11. *Lamissio*

11. *Lamissio* exceedingly concerned at their flight, testified his resentment thereof both by words and gesture, putting them in mind of the Infamy they contracted by not revenging the Death of their King, and the Captivity of his Daughter designed by them for his Wife, and partly by threats, and partly by good Language and rewards, he so wrought upon them that they fell violently upon the *Bulgares*, and after a most bloudy Conteſt, gave them a great Overthrow, which done, they beſtowed a Royal Funeral on the King's body, and being inriched with Plunder, became more hardy and reſolute to endure the labours of War. After *Lamissio's* Death, *Lechu* Reigned almoſt fourty years, and then his Son *Hildehoc* who was followed by *Gudehoc*. In thoſe days there was War betwixt *Odoachar*, (ſo *Paul* the Hiſtorian calls him,) who Reigned ſome years in *Italy*, and *Feletheus* or *Fema* King of the *Rugi* inhabiting then on the other ſide of the *Danube*, which ſeparated thoſe Coaſts from the borders of *Noricium*. *Feletheus* and his Wife *Giſa* not being reclaimed from their wicked Courſes, by all that *Severinus* a Religious Perſon, having a Monaſtery in their Dominions, could ſay unto them, *Odoachar* muſtered up all his Forces conſiſting of *Turcilingi*, *Heruli* and ſuch *Rugi* as he had already brought under his Dominion, beſides the people of *Italy*, and came into *Rugiland* where he deſtroyed both *Feletheus* and his followers, which done, he returned into *Italy*, carrying with him in triumph great numbers of Captives. The *Lombards*, as no Land is loſt for want of Heirs, then came into *Rugiland*, and finding it a fertile Countrey, made their ſtay there for certain years.

Then Others.

They paſs into *Rugiland*.

Gudehoc, *idem Latibulum*. *Giſa in voc. Alem. Giſo. Gito Contract. ex Giſelbrecht, Comitum conjuges, in voc. Alem. Giſalbert, Giſalbret, Giſalbrecht, Giſebertus. Inde Contract. Gilbert. Rugge-lant hiſtoria terra nos habe Rought & Rugeid pro Rage.*

12. In the mean time their King *Gudehoc* dies, to whom ſucceeds *Claſſo* his Son, and after him Reigned his Son *Tato* the ſeventh King in order. The *Lombards* alſo now departed out of *Rugiland*, and inhabited in open Champions in the Barbarous Language called *Feld*, where making their abode for three years, a Quarrel and War aroſe betwixt *Tato*, and *Rodulphus* King of the *Heruli*. The Brother of this *Rodulphus* being ſent upon an Embaſſy, for procurement of Peace and a good underſtanding, as he returned home again, chanced to paſs by the Houſe of *Rumetrueda* the King's Daughter, who ſeeing a great train and equipage, asked who it was that paſſed by, and receiving for anſwer that it was the Brother of *Rodulphus*, invited him to drink a glaſs of Wine. In he came, but being a man low of Stature, and of a mean Preſence, ſhe derided him, which not able to bear, he returned her as biting Language, and this ſo netled her, that diſſembling her malice, and inviting him to ſit down with his Head to a Window, ſhe thence cauſed him to be killed with Lances. His Brother *Rodulphus* at the News grew very impatient, and denouncing War to *Tato*, their Armies faced each other in the open Field. *Rodulphus* orders his men to be ready for Battel, but ſits at Play in his Tent deſpiſing his Enemies, and being confident in the ſtrength of his own Souldiers, who of late had been very Victorious, and either that they might be more Nimble, or out of contempt of Danger, were wont to fight without any other covering than onely ſomething tied about their privy Members. One of his Attendants he commanded to climb a Tree near at hand, and as ſoon as he ſaw the *Lombards* run, to tell him, threatning to cut off his Head if he brought him News of the flight of the *Heruli*. The Fellow therefore out of fear, though he ſaw them give ground, durſt not let the King know ſo much, but ever as he asked him what he ſaw, anſwered that the *Heruli* did gallantly demean themſelves, and concealed their fortune till ſuch time as they were abſolutely routed; and he cried out woe be to thee O miſerable *Herulia*, againſt whom Almighty God is incenſed, or to this purpoſe. At theſe words the King ſtartled, demanded of his Watchman if his *Heruli* fled, to which he replied 'tis not I, but thou O King that ſayeſt it. Confounded hereat, he and his Courtiers knew not what courſe to take, and the *Lombards* coming upon them made great ſlaughter, killing King *Rodulphus* amongſt the reſt.

They inhabit Champion Countries.

War with the *Heruli*.

Rodulphus their King ſlain.

Claſſo contra Lex claſſ-mucr reſonantis fama. Inſ. Tato, Tato. Tracy apud Procop. in voce Allem. Inſ. Tatto coaeruator. Feld nunc noſtratibus Field propriè campus patens. Rume-trud, celebrata fidei. Cum rebus pugnant nomina ſuis.

13. The *Heruli* were ſo diſtracted through fear, or from ſome higher cauſe, that they took the green fields for water, and ſtretching out their Armes and Bodies to ſwim, were miſerably cut in pieces by the perſuing Enemy. The victorious *Lombards* then divided the Plunder, and *Tato* for his ſhare took the Standard of *Rodulphus*, called *Bandum*, with the Helmet he was wont to wear in Battel. The Valour of the *Heruli* became extinct, together with *Rodulphus*, after whom they refuſed to have any more Kings. But the *Lombards* on the contrary took ſuch courage, that increaſing their Armies by the ſeveral Nations they had ſubdued, they fought after all occaſions of Trophies and Glory. But not long after the Triumph *Tato* was ſlain by *Wacho*, the Son of his Brother *Zuchilo*. *Hildichus*, the Son of *Tato*, endeavoured to revenge his death, but was beaten out of the Countrey, and fled to the *Gepidæ*, amongſt whom he ſpent the remainder of his days, and ſowed ſeeds

After him they refuſe to have any more Kings.

Bandum vexillum à Binden vincire. Binden Angl. to Bind.

ſeeds of Diſſentions betwixt the two now different Nations. At the ſame time (a) *Wacho* ſubdued the *Suevi*, and made them ſubject to his Commands. He had three Wives; the firſt (b) *Ranicunda*, Daughter of the King of the *Turingi*, after which he married *Auſtrigoſa*, the Daughter of the King of the *Gepidæ*, which brought him two Daughters, *viz.* (c) *Wiſegarda*, married to *Theodebert* King of the *Franks*, and (d) *Walderada*, Wife to *Cuſwald*, another King of that Nation, who having no kindneſs for her, beſtowed her on *Garipald*, one of his Subjects. *Wacho's* third Wife was *Salinga*, the Daughter of the King of the *Heruli*, and on her he begat his Son (e) *Waltari*, who ſucceeded him in his Kingdom. All theſe were called (f) *Lethingi*, by which name were ſignified ſuch as deſcended of a Noble Race.

(a) *Wachi-lap, via curſor, Wacho idem contraſte.*

(b) *Ranigunda, pura benevolentia.*

(c) *Wiſegardis, Sapientiæ collatio.*

(d) *Wal-rade, bene conſulens, in voc. Alem. Waleraz, & Soni mitioris cauſa Waldrada.*

(e) *Wald-har, Nemoris Dominus.*

(f) *Ergeling, Edeling Nobilis Saxon.*

14. *Waltari* reigned ſeven years, and then gave place to *Audoin*, the ninth King in order, who, not long after, led the *Lombards* into *Pannonia*. Now the grudges formerly conceived betwixt the *Gepidæ* and them broke out into an open War. Both ſides fighting ſtoutly, and it being uncertain to which the Victory would incline, it happened in a fight, that *Alboin*, the Son of *Audoin*, met *Turiſmodus*, the Son of *Turiſendus*, and ſtriking him from his Horſe with his Sword, preſently ſlew him, which the *Gepidæ* perceiving, their King's Son, who had been the great fomenter of the differences, being now dead, took them to their heels. The victorious *Lombards*, when they returned home, deſired their King that he would admit his Son *Alboin* to dine with him, who had been the procurer of ſo great a victory. But he anſwered, that he could not violate the Cuſtoms of his Nation, which did not admit the King's Son to eat with him, except he had firſt received Arms from ſome foreign King. Hereupon *Alboin* takes along with him onely forty young Men, and goes ſtreight to *Turiſendus*, whoſe Son he had lately ſlain, and tells him the reaſon of his coming. He kindly receives and admits him to his Table, placing him on his Right Hand, where his late Son was wont to ſit. Yet when he conſidered with himſelf whoſe place that had been, and called to mind the death of his Son, he could not contain himſelf, but deeply ſighing, ſaid, that ſeat he loved well, but he could not well brook the Perſon that now poſſeſſed it. Hereupon his other Son being preſent, began to affront the *Lombards*, ſaying, they were like Mares that had white Feet, becauſe their Legs were bound about with white bands, or fillets. One of them bad him go along with them to the place called *Aſfeld*, and there he ſhould feel how theſe Mares could kick, where his Brothers bones were ſcattered as were wont to be thoſe of ſome vile Carriage-beaſt. This provoked the *Gepidæ* exceedingly, and the *Lombards* laid their hands on their Swords, which the King perceiving, leapt from the Table, and putting himſelf betwixt them, rebuked his own Son and Servants, threatning ſeverely to puniſh him that ſhould firſt ſtrike a ſtroke, and affirming it were a Conqueſt not at all pleaſing to Almighty God, to kill one's Enemy in his own Houſe. The fray being appeaſed, they went on with their Dinner, and *Turiſendus* taking the Arms of his late Son *Turiſmodus*, beſtowed them on *Alboin*, and diſmiſſed him in ſafety. *Alboin* coming to his Father, was now admitted to his Table, where he told all that had paſſed in the Court of *Turiſendus*, to the admiration of all thoſe that heard it, who commended much *Alboin* for his Courage, and extolled the generoſity of the King.

Audoin King.

Aud-vin, Vetus vincendi, in voc. Alem. Autwin. Aut-vin.

Albe-vin, omnia regerent. Thoris-mod, ferox animo. Thoris-mund, ferox ore.

15. At this time, ſaith *Paulus Diaconus*, *Juſtinian* governed the *Roman* Empire in an happy manner, being in War proſperous, and wonderfull in Civil Affairs. For by *Beliſarius*, a Patritian, he overcame the *Perſians*, and utterly deſtroyed the Nation of the *Vandals*, having taken Priſoner *Gelismer*, their King, and reſtored all *Africk*, after a ſeparation of ninety and ſix years, to the *Roman* Empire. By the means of the ſame *Beliſarius* he overthrew the *Goths* in *Italy*, taking alſo Priſoner *Withicis* their King. After this he reſtrained the *Moors*, who made Incurſions into *Africk*, and with incredible dexterity uſing the ſervice of *John* the Conſul, defeated their King *Attila*. Other Nations he alſo maſtered by War, and deſervedly obtained the ſeveral Sirnames of *Alamannicus*, *Gothicus*, *Francicus*, *Germanicus*, *Anticus*, *Alanicus*, *Wandalicus* and *Africanus*. He adds, that he admirably contracted the *Roman* Laws, which were formerly too prolix and diſagreeing. For all the Conſtitutions of Princes, contained formerly in many Volumes, he contracted into twelve Books, which joined together, he commanded to be called by the name of *Codex Juſtinianeus*. Farther he reduced into fifty Books of Digeſts or Pandects the Laws of all Magiſtrates, which anciently made up near two thouſand Volumes. He compoſed four Books of Inſtitutions. New Laws alſo he enacted, which he called

Romanum Imperium felici ſorte regebat, quâ & bella proſperè geſſit, & in cauſis civilibus mitiſſimus extitit.

Novels. This same Prince also built a Church in *Constantinople* to Christ the Lord, who is the Wisedom of his Father, which in Greek he named ΑΓΙΑΝ ΣΩΦΙΑΝ, or *Holy Wisedom*, a work which so far excells all other Buildings, that in the whole world its like is not to be found. For this Prince was in Faith Catholick, in his works upright, just in Judgments, and therefore all things concurred for good. In his time lived *Cassiodorus*, a man famous at *Rome*, as well for secular as divine knowledge, who, amongst other things excellently written, hath in an eminent manner opened the Mysteries of the Psalms. He was first Consul, then a Senatour, and at last a Monk. At this time also *Dionysius*, an Abbat, by a wonderfull kind of reasoning, composed the *Paschal Calculus* at *Rome*, and at *Constantinople Priscian* of *Cæsarea* searched to the bottom of the Art of Grammar. *Arator* also, a Subdeacon of the Church of *Rome*, an admirable Poet, wrote the Acts of the Apostles in Hexameter Verse.

Erat enim hic Principes fidei Catholicæ, in operibus rectus, in judiciis justus, ideoque & omnia concurrebant in bonum.

16. After this and another digression concerning St. *Bennet*, *Paul*, our Historian, returns to King *Audoin*, whose Wife *Rodelinda* brought him his Son *Alboin* a Man every way accomplisht for warlike Enterprises. Having succeeded his Father with the universal consent and approbation of his People, *Chlotarius*, King of the *Franks*, bestowed on him in Marriage his Daughter *Chlotsunda*, by whom he had onely one Daughter, *Alpsunda* by name. In the mean time dyes *Turisendus*, King of the *Gepidæ*, whose Successour *Gunimundus*, desiring to revenge old injuries, renewed the War. *Alboin*, to strengthen himself, contracted a perpetual League and Amity with that People, which formerly being called *Hunnes*, came afterward to be known by the Name of *Avares*, which they received from one of their Kings. By virtue of this Confederacy, when the War was begun, the *Avares* invaded the Territories of the *Gepidæ*, which News coming to the Ears of *Gunimund*, he was exceedingly perplexed, but thought fit first to engage the *Lombards*, whom having once defeated, he could easily drive away the other. But in a bloudy Battel he was slain, with almost all his Followers. *Alboin* killed him with his own Hand, and of his Skull made him a Cup to drink in, called in the Language of the *Lombards*, *Schala*, and *Patera*, by such as spake the Latine Tongue. Yet his Daughter *Rosimunda*, whom, together with an infinite multitude of all ages and conditions, he took captive, he married, his former Wife, *Clotsunda*, being dead. The *Lombards* grew rich, the booty was so great, but the Nation of the *Gepidæ* was so diminished, that thenceforth they had no King, but such as escaped were either subject to the *Lombards*, or Slaves, in effect, to the *Hunnes*, who possessed their Country. As for *Alboin*, he became exceeding famous, both amongst the Nation of the *Baioarii*, the *Saxons*, and others that spake the same Language; his Prowess and Vertue being celebrated in their Poems. And many reported, even to the time of *Paulus Diaconus*, that the chiefest sorts of Weapons were invented by him.

Alboin

Rode. linde, quies tranquilla, in voc. Alem. Raadlind, Ruoadlind, Radolind.

In voce Alemann. Alf-faind. Helfschunte, media forma.

Overthrows the *Gepidæ*.

Schala sella ex alto ex cælum interfecti hominis qua schele, & hodie schele dicebatur, nobis etiamnum skull. *Postea factia est ex alia materia ad illius modum.*

17. The Fame of the victorious *Lombards* flying now every where, *Narses*, the Imperial Chartulary, who had the charge of *Italy*, and was to ingage in War with the *Goths*, sent to *Alboin*, desiring his Assistence, being as King of the *Lombards*, already his Confederate. He sent him a band of choice Men, who passing into *Italy* by the *Adriatick* Gulf, did him service in his Wars, which being finished, they returned home richly rewarded; And so long as the *Lombards* inhabited *Pannonia*, they gave assistence to the *Roman* Emperour, upon all occasions. But *Narses*, after all his Services, was envied for his Wealth and Authority, by some great ones, who sent to complain of him to *Justin*, now Emperour, and *Sophia*, his Wife, alledging, that the *Romans* had better have served the *Goths*, than the *Greeks*, under this *Eunuch*, who held them in no better a condition than that of Slavery, their most pious Prince being altogether ignorant of their Sufferings. They desired in conclusion, that he would deliver them out of his hands, or else they would put both the City of *Rome*, and themselves, into the Hands of other Nations. *Narses*, when he understood it, answered onely in short. *If I have ill treated the* Romans, *let me be ill treated my self.* But the Emperour was so much moved against him, that he sent *Longinus* into *Italy*, to take his place; and now he knows not how to dispose of himself, for standing in great fear of *Sophia*, the Empress, he dares not return to *Constantinople*. Being an Eunuch, she had bidden them put him into a *Gyneceum*, and make him distribute to the Women that spun their Portions of Wool, which, when he heard, it's reported that he said, he would spin such a Thread as should find her work as long as she lived, and moved both by disdain and fear, he sends presently to the *Lombards*, inviting them to forsake the poor and beggarly Countrey of *Pannonia*, and come into *Italy*, a fertile soil, which abounded with all things,

Paulus Diaconus de gestis Longob. l. 2.

Sends assistence to *Narses*,

Who is envied, and *Longinus* sent to take his place.

He calls the *Lombards* into *Italy*.

things. And he sent them several of the best Fruits the Countrey afforded, as Baits to draw them on.

18. This is the Account that *Paulus Diaconus* gives us of the Motives which brought the *Lombards* first to invade *Italy*. But there are some that doubt much the truth thereof, and conceive it no absurd thing to question a Report made by one that lived at such a distance from this Invasion, as did our Writer. And they produce another, that both lived and wrote at the very time this Invasion hapned, *viz. Corippus*, a Grammarian of *Africk*, from whom it appears, that *Narses* was e'er this recalled to *Constantinople*, where he was highly esteemed by *Justin*, at whose Installment he was present, and attended him when he gave Audience to the Ambassadours sent from the *Avares*. If he was then at *Constantinople*, it cannot be imagined he should be about the same time in *Italy*, and call in the *Lombards*, who the year following broke into that Countrey. Neither can it be pleaded on the other side, that though he was then at *Constantinople*, yet the Emperour might send him back into *Italy*, with the same Power and Employment as formerly, because all Authours agree, that after his Return *Longinus* was sent to succeed him. But upon what account, or by what Motives soever induced, into *Italy* they came, and made there such Devastations, and brought such Miseries upon the People, (which had scarcely had time to take a little breath, since the *Gothick* Wars) that the great mischiefs they wrought, were to be ushered in with dreadfull Prodigies. For in the night time were seen in the Air, to the Northward, Armies of Men, and Spears of Fire, glittering, as it were, with the colour of Man's Bloud, which e'er long was to be shed in such abundance.

Some do not believe this report of *Paulus Diaconus*.

In laud. Justin. lib. 2.

Armiger intorea domini vestigia lustrans,

Eminet excelsus super omnia vertice Narses Agmina & Augustam, &c.

Prodigies ushering in the *Lombards*.

19. *Alboin* resolving to invade *Italy*, sent to the *Saxons*, his old Friends, and confederates for aid, offering them their share in the Conquest for their pains, with which Proposals they closed, and sent him above twenty thousand Men, with their Wives and Children. Besides the *Saxons* he strengthened himself also by the aids of several other Nations, as the *Gepidæ*, *Bulgari*, *Sarmatæ*, *Pannonians*, *Suevi*, and others, all which had afterwards Lands assigned them in the Countrey. Moreover he had contracted a strict Alliance with the *Hunnes*, to whom he left *Pannonia*, with this condition, that in case the *Lombards* should return, they should reenter and enjoy their former Seats. And being also joined in League and Alliance with the *Franks*, his Interest became the more considerable; for he was not onely the Son-in-Law of *Clotarius*, whose Daughter *Chlothosinda* he had married, but thereby near allied also to four Kings of the same Nation. Animated by his own natural Courage, and these Assistences, he removes from *Pannonia*, with all his *Lombards*, their Wives, Children, and all they had, to possess *Italy*, (which he had already devoured in hope and expectation.) After fourty two years stay in *Pannonia*, in the Month of *April*, just after *Easter*, which fell out that Year on the first day of that Month, in the first Indiction, in the third Year of the Emperour *Justin* the younger, the Ninth of *John* the *Roman* Patriarch, and the five hundredth and sixty eighth year of our Lord. Why *Baronius* should write, that *this was done after that* Alboinus *had seized on* Pannonia, *and there staid fourty two years, who also came with his People out of the Island of* Scandinavia, (seeing he was, as *Paulus Diaconus* counts, the tenth King that reigned over the *Lombards*, after the death of *Ibor* and *Ago*, the Captains that led them out of that Island, and not he, but *Audoin*, his Father, brought them into *Pannonia*,) let others enquire.

Other Nations joined with them.

20. *Alboin* having with his Army, and promiscuous multitude, arrived at the Borders, went up into an high Mountain adjacent, to take a prospect of *Italy*. The Hill was from this occasion called *Mons Regis*, on which many Buffes were bred, it reaching as far as *Pannonia*, which abounded with that sort of Beast. Having without any opposition entred *Venetia*, the first Province of *Italy*, and come to the bounds of the *Foro Julian* City, or Castle rather, he began to consider whom he could trust with these Territories, and at last conferred the charge on *Gisulphus*, his Nephew, a man very fit for such an Employment, who served him now as his *Strator*, or Master of his Horse, in the Language of the *Lombards* called *Mar-hais*. Yet he refused to accept of the charge, till he granted him such *Faras*, Generations or Families of the *Lombards*, as he should chuse, which being done, he became the Captain of them; and obtained also a number of Mares of an excellent breed. This Year fell in Winter such a vast quantity of Snow in the Plain, as was wont to fall on the *Alpes* themselves; and the following Summer afforded such plenty of all things, as no Age could parallel, if we believe our Historian. In the same Year died *Narses* the Eunuch, as some write, though concerning the place, manner and time of his Death, there are different Relations. The Latin Writers say, he returned

Albin prefers *Gisulfe* his Kinsman.

Gisel-ulph, Comitum adjutor.

Mar-hais Strator, qui imperat Equitia meliores Codices, pro Marpahis. Fara, generatio, familia, à verbo Faren, quod est progredi; post Christianismum dicta sic Parascia, unde Far-her, nos etiamnum a Seafaring Man.

ned from *Naples* to *Rome*, and repenting what he had done about the *Lombards*, died there, and that his body being put into a Coffin of Lead, was, together with all his Wealth, carried to *Conſtantinople*. But the Greek Authours will not allow him to have ſtaid at *Naples*, but to have returned to *Conſtantinople*, and there to have raiſed magnificent Buildings. *Cedrenus* writes, that being moſt dear to the Emperour, he built an Houſe called by his own Name, beſides a Manſion for the *Cathari*. The *Hiſtoria Miſcella* relates, that in his Houſe he cauſed to be made a great Ciſtern, and having therein depoſed many thouſand Centenaries of Gold and Silver, killed all that knew of it, one old Man excepted, to whom he recommended the Treaſure, receiving from him an Oath of Secrecy. If ſo, he muſt have lived ſeveral years after the Invaſion of *Italy*.

21. And that we give credit rather to the Greek than the Latin Writers, in this point, the Teſtimony of *Coripus*, lately mentioned, doth perſuade us. Beſides, *Anaſtaſius* writes how *Narſes* died at the ſame time as died *John* the *Roman* Biſhop, and it's certain that *John* lived four years after this, and in the Letters of *John* is mention made of the Conſulſhip of *Narſes*, which he bore with *Juſtin*, being now Conſul the ſixth time, whereas in this Year, wherein they will have him to have died, *Juſtin* was Conſul onely the ſecond time. Then who can once imagine, that the Body of ſo grand a Malefactour, as the Betrayer of *Italy*, ſhould be carried to *Conſtantinople*, and have honourable Burial, which ought rather to have been hung on a Gibbet, or caſt to Dogs, or in ſome other ignominious ſort to have been treated? The Latin Writers ſeem therefore to have been but ill inſtructed in this particular, and neither had the Greek Authours full intelligence, as to circumſtances, when they ſpeak of his great Piety and Charity, and yet mention another thing wherein he cannot be excuſed from exceſſive Covetouſneſs and Cruelty. This is his hiding the Treaſure where it could doe no good, and killing thoſe that were privy to the hiding. *Procopius*, *Agathias*, *Euagrius*, and others, give him large Commendations, and had ſuch a thing been committed after the Glory obtained by his former Actions, *Euagrius* would probably have mentioned it, or at leaſt not ſo largely commended him. But whereas this Authour brings down his Narrations as low as *Mauritius* the Emperour, and yet makes no mention of *Narſes* his death; ſome ſuſpect he was ſtill alive when he wrote his Hiſtory.

Vide Baronium ad Ann. 568. num. 10.

Whether one or two of the name of *Narſes*.

22. And that which much ſtrengthens this ſuſpicion, is, that there was one *Narſes* in the time of *Mauritius*, a Patritian, in Dignity, and renowned for his Counſels and Actions, relating as well to Peace as War, General of the Army alſo, and very remarkable for his Piety. If it was one and the ſame Perſon, he muſt have lived thirty years longer, which if any count improbable, let them conſider whether this doth not carry a greater ſhew of Improbability, that almoſt at the ſame time there ſhould be two of the ſame Name, Order, Dignity and Piety, and both of them renowned for their Victories, both Generals of the Imperial Armies, and yet no remark hereupon made by any Hiſtorian, no diſtinction at all, either by *Major* and *Minor*, *Senior* and *Junior*, or the *Firſt* and *Laſt*. This *Narſes* that lived in the time of *Mauritius*, who overthrew *Barames*, that uſurped the Kingdom of *Perſia*, and reſtored *Choſroes* the younger, loſt his Life under the Tyrant *Phocas*, as we may ſee hereafter. Let us leave *Narſes* therefore, either in his Grave, or elſewhere, and attend the Motions of *Alboin* into *Italy*, who being come as far as the River *Alpis*, was met by *Fœlix*, the Biſhop of *Tarviſium*, to whom he granted, as he was moſt bountifull, all that belonged to his Church, and confirmed by his *Pragmaticum* what he deſired. He took *Vincentia*, *Verona*, and the reſt of the Cities of *Venetia*, *Padua*, *Mantua* and *Monteſilice* onely excepted. Here *Paul* tells you, that by *Venetia* he means not onely thoſe few Iſlands, then called in the plural number *Venetiæ*, at this day *Venice*, but that Countrey which reached as far as from the Borders of *Pannonia* to the River *Addua*. He proves this to be *Venetia*, from ancient Hiſtorians, who affirm *Pergamus* to be a City of *Venetiæ*. The Lake *Benacus* is alſo called *Lacus Venetiarum*, out of which iſſueth the River *Mintius*. In Greek he ſaith, *Eneti*, to which the Latines add one Letter, ſignifieth *Laudable*. To *Venetia* was alſo joyned *Hiſtria*, (ſo named from the River *Hiſter*,) which he affirmeth from the *Roman* Hiſtory, to have been in old time larger than it was in his days,) and both theſe were accounted for one Province. Of *Venetia Aquileia* was anciently the Head, but in *Paul* his time *Forum-Julii* was advanced to that Honour, being ſo called, becauſe *Julius Cæſar* there appointed a Mart, or *Forum Negotiationis*, as our Authour words it.

Alboin takes ſeveral Towns in *Venetia*.

23. *Alboin*

He enters *Milan*.

23. *Alboin* having invaded *Liguria*, entred *Milan*, at the beginning of the third Indiction, on the third of the Nones of *September*, in the time of *Honoratus* the Archbiſhop. Then took he in all the Midland Cities, but thoſe upon the Sea ſtood out, and *Ticinum*, or *Pavia*, reſiſted his violence three years. In the mean time he over-runs all as far as *Tuſcia*, *Rome* and *Ravenna* excepted, beſides certain Caſtles, ſeated on the Sea ſhore. There was not any courage or ſtrength now left in the *Romans*, to make any effectual reſiſtence, multitudes having periſhed by the Plague in the time of *Narſes*, and after that Year of Plenty a grievous Famine having invaded and oppreſſed all *Italy*. At length *Pavia*, after it had ſtood out three Years, and ſome Months, yielded to *Alboin* and his *Lombards*. The King making his entry at St. *John*'s Gate, at the Eaſtern part of the City, his Horſe fell under him in the middle of the Gate, and by ſpurring and beating could not be raiſed, which being taken notice of by one of his Followers, he adviſed him to break that cruel Vow he had made, and then he ſhould enter the City, which was inhabited by a truly Chriſtian People. He had vowed to put all the People to death, becauſe of their ſtubbornneſs in holding out ſo long, but now breaking his Vow, and promiſing Indempnity to the Inhabitants, his Horſe preſently aroſe, and then paſſing on to his Lodging, he kept his word, the People flocking to him in the Palace built by King *Theuderick*. In *Italy Alboin* reigned three Years and five Months, and then was ſlain by the Treachery of his Wife upon this occaſion. Being very merry, as he was feaſting at *Verona*, he commmanded Wine to be given her in the Cup made of the Skull of *Cunimund*, her Father, as with whom he commanded her to drink merily. That this may not ſeem impoſſible, *Paul* religiouſly profeſſeth, that he himſelf had ſeen the very Cup.

Pavia holds out three years.

24. *Roſemunda* at this was wonderfully incenſed, and preſently conſulted how to revenge her Father's Death, with *Helmichis*, the King's Armour-bearer, or *Schilpor*, as the *Lombards* called him. He perſuaded her to take into her Council *Peredeo*, a moſt valiant Man, who refuſing utterly to conſent to the Murther of his Prince, ſhe knowing he was wont to lie with one that belonged to her Wardrobe, placed her ſelf in her Bed, received and lay with him, when he not at all ſuſpected ſuch a matter. But the Queen demanding of him, before he aroſe, if he knew her Name, he affirmed ſhe was his Sweet-heart; ſhe told him he was miſtaken, that ſhe was *Roſemunda* her ſelf, and that he had now done ſuch a deed, that he muſt either kill *Alboin*, or expect to be killed by him. He conſented then to join in the Murther, to facilitate which, as the King lay aſleep on his Bed at noon, his Wife bound his Sword ſo faſt in his Scabbard, that it could not be drawn. Then was *Peredeo* brought in, and *Alboin* awakened by the noiſe, after he had in vain attempted to draw his Sword, which lay at his Beds-head, defended himſelf valiantly with a Footſtool for ſome time, but was at length overpowered and ſlain by the wicked device of a Woman, whom many Armies had not been able to deſtroy. His Body, with great Lamentations of the *Lombards*, was buried under a certain pair of Stairs near to the Palace. He was tall of Stature and every way fitted for Warlike Actions. In our days, ſaith *Paul*, *Giſelbert*, Duke of *Verona*, opened his Grave, and taking away his Sword, and all his other Ornaments, after his uſual Vanity, boaſted to ſilly People, that he had ſeen *Alboin*.

Helm-ih, galea fortis. Schilt-furer Scutiger, Schilt, noſtis hodie ſhield.. Pered-eu, Latè patentis logi. eſt & in voc. Alem.

Alboin killed by procurement of his Wife.

25. *Alboin* being dead, *Helmichis* attempted to make himſelf King, but the *Lombards* oppoſed it to ſuch a degree, that they endeavoured to call him to account for the death of the deceaſed. *Roſemunda* perceiving no good was to be done, ſent to *Longinus*, the Governour, or Exarch, of *Ravenna*, deſiring him with all ſpeed to diſpatch away a Ship to fetch them, which he readily did, and they two being now Husband and Wife, fled away by night, taking along with them *Albſuinda*, the King's Daughter, and all the Treaſure of the *Lombards*. *Longinus* having got them to *Ravenna*, perſuaded her to kill *Helmichis*, and take himſelf to her Husband, which ſhe, without any great heſitation, conſented to doe, out of a deſire of being Lady of that City, and gave a Cup of Poiſon to him when he came out of the Bath. Having drunk it almoſt off, he perceived what it was, and then drawing his Sword, compelled her to pledge him with the reſt, which having done, by the moſt juſt Judgment of God, both theſe Murtherers received the Reward of their Vilany at the ſame moment. They being dead, *Longinus* ſent *Albſuinda*, with the Treaſure, to *Conſtantinople*, whither ſome ſay *Peredeo* was alſo ſent, having accompanied *Helmichis* and *Roſemunda* to *Ravenna*. But the *Lombards*, into the place of *Alboin*, elected one *Cleph*, a Man of great Nobility, who having ſlain many of the chiefeſt *Romans*, and baniſhed others, was, after he had reigned a Year and ſix Months, with *Maſſana*, his Wife, killed by a Boy of his own Family.

She flies to *Longinus*, the *Roman* Exarch.

Her deſerved End.

Cleph choſen King in the room of *Alboin*.

Cleph, idem ac Cloſſi. Maſſe-nat, Modo conjuncta. Maſſe & Maſſ idem. Dialectis differunt, ut Waſſer, Water, & mille alia.

26. After

26. After his Death *Paulus Diaconus* tells us, that the *Lombards* for ten years were without a King, and were onely governed by their Leaders, of whom every one enjoyed his own City. In particular, *Zaban* made himſelf Maſter of *Pavia*; *Waillari* of *Bergamum*, *Alachis* of *Brixia*, *Euin* of *Trent*, and *Giſulfus* of *Forum-Julii*, beſides thirty others, whereof each held his peculiar Town. Having thus ſeated themſelves at their Pleaſure, they deſtroyed the *Roman* Nobility, or thoſe that remained they made Tributaries, exacting a third part of their Revenues. They pulled down Churches, killed the Prieſts, demoliſhed the Cities, and deſtroyed the People all over, thoſe parts which *Alboin* had taken excepted, and in ſeven years time in a manner ſubdued all *Italy*. Yet did they not take the City of *Rome*, though they entred the Suburbs, and demoliſhed ſeveral Monuments of the Martyrs, carrying away their Relicks; and they raiſed a great Perſecution againſt Pious and Religious Perſons. But thus was the *Roman* Empire rent in the Weſt, and thoſe Limbs again torn from it's Body, after the former Wounds ſeemed to be quite healed up. And in the Eaſt, it was in little better Condition, where the Head being crazy and out of Order, the inferiour Members could be leſs ſecure, and in a Capacity to defend themſelves. For *Juſtin* the Emperour was taken with a *Vertigo*, and ſuch a diſtemper in his Brain that he could not ſtir abroad, nor receive any Addreſſes; which advantage ſome of the Great ones taking, fell with violence upon the ordinary ſort, and ſpoiled them of all they had. As ſoon as he recovered and went to Church, the diſtreſſed People followed him with Cries and Lamentations. Hereupon he ſummoned ſuch as had been Criminals before him, and admoniſhed them to forbear ſuch Practices, but they were ſo far from making Reparation for what they had already done, that they oppreſſed the poor People worſe than formerly. Then called he the Senate together, and more ſharply reprehended them, telling them, it onely became the Nature of Fiſhes, for the greater and ſtronger to devour thoſe of a leſſer ſize; if he were their Lawfull Emperour, he Commanded them to yield obedience to his Orders, and if they refuſed, bade them chuſe themſelves a new Prince whereſoever they pleaſed.

The Countrey ſhared.

Juſtin the Emperour taken with a *Vertigo*.

Cedrenus.

Thereupon the People oppreſſed.

27. At this one Nobleman amongſt the reſt ſtands up, deſires him but to make him Prefect of the City, and all ſhould ſpeedily be amended, provided he would Command him to deal impartially, and give him free Acceſs upon all occaſions. This is readily granted, and the next day he ſits in Judgment. A certain Widow comes and complains that a Great man had ſpoiled her of all ſhe had. He ſends him a Summons to appear by the Woman; but he ſends her onely back well beaten, and deals little better by an Officer, diſpatched afterward on the ſame Errand. While the Prefect ſits expecting his coming, the Man is invited to Dinner by the Emperour, which the Prefect hearing, goes alſo to Court and demands of *Juſtin*, whether he did continue of the ſame mind and reſolution, as when he firſt made him Prefect of the City; ſeeing he entertained at his Table guilty Perſons. The Emperour anſwers, he would ſooner quit his Throne than be guilty of ſuch a Crime, and thereupon the Prefect takes away his Gueſt, and carries him into the Court called *Arca*, where hearing the whole matter betwixt him and the Widow, and perceiving how greatly he had injured her, he cauſed him to be beaten, and then having his Head ſhaven, to be ſet naked upon an Aſs and ſo carried through the midſt of the City, having decreed his whole Eſtate unto the Woman. This Example ſo wrought upon all others, that a thorough Reformation was made, and within thirty days no more Complaints were heard of this Nature, which the Prefect making known to the Emperour, he rewarded him with the Dignity of a Patritian, and the Government of the City during Life. This year which was the third of *Juſtin*, was not onely ſignalized with this notable piece of Juſtice, but with as eminent Acts of Charity performed by *Sophia* the Empreſs. For ſummoning in ſuch as were in Debt, ſhe paid her ſelf the Money to the Creditours, and reſtored all Pledges to their former owners.

A Reformation.

Cedrenus.

28. As a reward for theſe good Deeds, the following Year *Juſtin* had a great Victory over the *Avares*, who were defeated by *Tiberius*, (the *Comes Excubitorum* at preſent, but afterward Emperour) and forced ſubmiſſively to beg Peace. But as he was not conſtant to the ways of Mercy and Goodneſs, ſo his Proſperity forſook him again, and as the Proverb is, an Enemy though he flies, may again rally and renew the Charge. For five years after in the ninth of his Reign, when all *Italy* in a manner was loſt to the *Lombards*, theſe *Avares*, or *Abari*, as the ſame Authour tells us, came as far as the *Danube*, and to be even with them defeated the *Romans*. It ſeems that *Tiberius* was again diſpatched againſt them, but his men would not now as much as look the Barbarians in the Face, and he wonderfully

The *Avares* defeated.

Victor Tunnenſis in Chron. Coripp. in Carm.

Ὁ ἐχθρὸς φεύγων ποτὲ καὶ πάλιν μαχόμενος.

Defeat the *Romans*.

Euagrius, lib. 5. c. 11.

wonderfully eſcaped being taken Priſoner, having by following the raſh and heady Advice of *Juſtin*, indangered the whole Commonwealth of *Rome*, at leaſt it's greateſt Honour and Reputation. But beſides this defeat received from the *Avares*, the *Perſians* the old Enemies of the Empire recollected themſelves, and were up again upon a Quarrel, which at firſt proceeded from Religion. The People inhabiting *Perſarmenia* or *Armenia* the Great (which *Philip* the Succeſſour of *Gordianus* had delivered up to *Sapor*) being Chriſtians were grievouſly perſecuted for their Religion and Conſcience by the *Perſians*. This cauſed them to ſend to *Juſtin* the Emperour privately, deſiring they might turn Subjects to the Empire, and ſerve God without any let or hindrance. He accepted of their Petition, and Articles being ſworn betwixt them, they (contrary ſure to Religion and Conſcience) ſlew their own Princes, and put themſelves into the hands of *Juſtin*, which Example was followed by their Neighbours, who with *Vardan* their Captain profeſſed their Service and obedience to the *Roman* Empire.

Euagrius, lib. 5. c. 7, 8, 9. &c.

The *Perſarmenians* revolt.

29. *Choſroes* preſently received the Alarm, and Charged the Emperour with theſe Clandeſtine and injurious Proceedings. *Juſtin* anſwered poſitively, that the Date of the League was expired, and that it became not the Profeſſours of Chriſtianity to reject ſuch as ſuffered for their Conſcience, and fled to them in the time of War: Yet made he no Preparation for what he muſt needs conclude would follow, wallowing in his wonted Senſualities and Delights. He ſent indeed *Martianus* his Captain into the Eaſt, but without Souldiers, Arms, or any proviſions for War; and he came into *Meſopotamia* not without manifeſt danger to the State, picking up onely a few naked Fellows, of which number ſome were Tributary Pioneers, and Waggondrivers. An inconſiderable party of *Perſians* yet he chanced to defeat before the reſt could be in readineſs, and beſieged *Niſibis*, the Gates of which the Inhabitants would not ſhut, reviling the ſtout *Roman* Army, and eſteeming of them no otherwiſe, than as if they had been ſet there to keep ſheep. But by this time *Choſroes* was furniſhed for a Battel, and bringing his General *Aduarmanes*, as *Euagrius* calls him, or *Artabanus*, as we reade him in *Cedrenus*, on his way as far as the other ſide of *Euphrates*, which was within his own Dominions; ſent him into the Marches of the *Roman* Empire, and Commanded him to ſeize on the Town of *Circeſium*, which ſituate in the fartheſt parts of the *Roman* Dominions was fortified with ſtrong Walls, and more than that with the two Rivers *Euphrates*, and *Aboras* ſtanding as it were in an Iſland. He himſelf with another Army paſſed over *Tigris*, and made ſtreight for *Niſibis*; while *Juſtin* pleaſed himſelf with idle Reports, that *Choſroes* was either already dead, or mortally ſick, and was ſo incenſed againſt *Martianus* for prolonging the ſiege, that he ſent to reproach him, and to require him with all ſpeed, to bring the Keys of the City to his Preſence.

Martianus his Exploits.

30. Becoming exceedingly Ridiculous to all men, for theſe extravagant Conceits: *Gregory* Biſhop of *Antioch* wrote the whole State of Affairs to him, both how impoſſible it was with ſuch an handfull of inconſiderable Men to take ſuch a City, and that *Choſroes* had with all expedition invaded thoſe Countries. But he, drown'd in the filth of his wonted Luxury, gave no heed to *Gregory*'s Letters, thinking that onely to be true, which his own ſick Brain had conceived, and like other intemperate and Riotous Perſons, unwilling to believe any thing that would diſturb them in their Pleaſures. He wrote back to the Biſhop and rejected his Letters for falſe Reports: If they were true, he affirmed the *Perſians* ſhould not win the City, and raiſe the ſiege before his Power came, and in caſe they ſhould win it, they ſhould yet be met with e'er they left the Countrey. Afterward he ſent one *Acacius*, a proud and diſdainfull Man to *Martianus* who meeting him on the Confines according to his Commiſſion, deprived him of all Martial Dignity unknown to the Army. The Officers after the watch was over, underſtanding that their Captain was Caſheired, caſt away their Arms, ſtole into Corners, and quitted the Siege to the great Laughter of all Men. *Aduarmanes* in the mean time paſſing by *Circeſium* with a great Army of *Perſians*, and Barbarians called *Scenitæ*, waſted all the *Roman* Territories with Fire and Sword, without any Mercy or Compaſſion. Caſtles and Towers he took without any oppoſition, both becauſe the *Romans* had none to Head them, and *Choſroes* had as it were beſieged all ſuch Souldiers as lay about *Daras*. His men alſo ſet upon *Antioch*, but beyond all Expectation were repulſed, when very few remained in the City. For the Biſhop flying away with the Holy Treaſure, the City was in a manner left deſolate, the greater part of the Wall lying flat with the Ground, and the People as in ſuch Caſes falling into Diſorder and Tumult; ſo that there was none that either deviſed Engines to repell the Enemy, or was much diſpoſed to reſiſt him any other way.

Acacius ſent to Caſheir him.

31. However

Heraclea burnt, and *Apamia.*

31. However the design of *Aduarmanes* against *Antioch* not taking, he burnt the City *Heraclea*, afterward called *Gagalica*, and marched to *Apamia* built by *Seleucus* the Son of *Nicanor*; a City sometime flourishing, but now through the Injury of time faln to decay. Having received it upon Articles, he burnt it also contrary to Agreement, plundered it, and destroyed all, which done he used the Countrey adjacent in the same sort, and carried away with him the Bishop and the Governour. Having done very much mischief in his passage, he returned to his King, who as yet had not taken the City he besieged. Now joyning their Powers, they made a very considerable Army, and quite discouraged those within, although the City was very well fortified, so that it was taken by Force in the Winter season after above a five Months siege, some said through the Carelessness, others through the Treachery of the Governour. Many he put to the Sword, many he took Prisoners, and having fortified the place which stood exceedingly convenient for him returned home. *Justin* was now at length convinced; and perceiving, that indeed his Dominions were invaded in such a fort, took it more heavily than his Constitution could bear, and fell distracted, so as he had no Sense or apprehension of any business. *Tiberius* therefore a *Thracian* born, one that was in greatest Authority about him, and had made a fruitless Journey against the *Avares*, undertook the management of publick Affairs. By his Advice, that what had been lost by rashness and folly, might be redeemed through sobriety, *Trajan*, a man of great Esteem for his Age and Wisedom, was sent Ambassadour to *Chosroes*, it if be Lawfull to give him that Title.

Chosroes takes *Nisibis.*

Thereupon *Justin* falls distracted.

32. For, his Embassy was not from the Person of the Emperour, nor in the Name of the Commonwealth of *Rome*; but onely a Message from *Sophia* the Empress. She wrote Letters to *Chosroes*, wherein she lamented the wofull plight of her Husband, and the lamentable Estate of the Empire, now wanting an Head, and she insisted that it stood not with his Honour, to triumph over a silly Woman, to insult over an Emperour that was sick and Bed-rid, and invade a State utterly destitute of defence and Succour; that he in times past being sick, had not onely the like Humanity she now asked shewn unto him, but the best Physicians which the *Roman* Empire could afford, sent to ease him of his Grief. Good nature so wrought with *Chosroes*, upon Consideration of these particulars, that although he had determined speedily to invade the *Roman* Dominions, yet he made a Truce for three years, respecting the Eastern Countries, and consented that *Armenia* should enjoy the benefit of it. This accord was made in the tenth year of *Justin* his Reign, who in his thirteenth, through the Advice of *Sophia* his Wife, took *Tiberius* to be his Collegue in the Empire. *Euagrius* tells us, that at the Promotion he uttered such Words, as no History whatsoever can Parallel; God of his mercy granting him so much time, as might suffice both to confess his own sins, and declare such things as were for the benefit of the Commonwealth. *John* the Bishop with his Company, the Princes and Magistrates, and all the *Prætorian* Souldiers being now assembled in the open Hall, where of old such Solemnities were usually celebrated, *Justin* invested *Tiberius* with the Imperial Robe and Cloak, saying to him aloud as followeth: *Let not the Splendour of this Garment lead them into mistakes, neither be thou deceived with the Glorious shew of such things as are subject to the Senses, wherewith I being intangled, have brought my self into grievous Miseries. But in Governing the Empire by great Moderation and mildness of Spirit, redress what I have Foolishly committed. Then*, pointing to the Magistrates with his Finger. *Thou must by no means*, saith he, *be ruled by these Men, for they are they that have brought me into this sad Condition, wherein thou seest me.* These with other such like words he uttered, which struck all the Assembly with great wonder and Admiration, and drew from the Auditory abundance of Tears.

A Truce made with him for three years.

Vbi supra, c. 13.

Justin makes *Tiberius* his Collegue.

An excellent Prince.

33. *Tiberius* was a man of a wonderfull goodly Stature, and of a Presence altogether composed unto Majesty. His mind was as richly adorned with mildness and Courtesie, which allured all Men at the very first Address to love him. For he esteemed that to be Riches, which sufficed every man to give not onely for necessity, but also for plenty and abundance. He was of Opinion, that not onely such as wanted were to receive Relief; but that it became the Emperour of *Rome* to be Munificent, and he took that Gold to be Counterfeit, which was gathered with the Tears and Lamentations of the Subject. Moved by these Considerations, he remitted one whole years Tribute, and such Lands as *Aduarmanes* had loaden with heavy Taxes, he restored to Liberty, and made full Reparation to those that had sustained the loss; moreover such Exactions as had been made by former Princes, (for which they used to deliver, and as it were sell the People to their Officers, to be abused

abused at their Pleasure,) he forgave and by Laws forbade, all such Practices for the time to come. Having well bestowed such Moneys, as had been ill gotten, and ordered his matters at home as true Prudence, and the Duty of his place required, against the expiring of the Truce with *Persia*, he made all Preparations possible for War. He made great Levies on both sides the *Alpes*, and about the *Rhine*; listed in his Army, many *Massagetes*, and several other *Scythian* Nations out of *Pæonia*, *Mysia*, *Illyricum* and *Isauria*, and having got together near an hundred and fifty Troops of choice Horse every way well appointed, he gave the Foile to *Chosroes*, who immediately after the winning of *Daras* in Summer, had over-run *Armenia*, and marched toward *Cæsarea* the Metropolis of *Cappadocia*. *Chosroes* was so puffed up with his Success, and the natural haughtiness of his Humour, that he refused to give Audience to the Emperour's Ambassadours, but disdainfully bade them follow him to *Cæsarea*, and there he would hear what they had to say. But when he saw the *Roman* Army (commanded by *Justinian* the Brother of *Justin*, that was so basely murthered at *Alexandria*) shining all in Armour; when he perceived the Trumpets sound to Battel, the Armies ready to joyn, and the Clamour of the Souldiers which pierced the very Skies: Lastly, when he beheld such a Body of Horse, as before none of the Emperours had so much as thought of, he was utterly astonished and surprized at such an unexpected sight, sighed heavily, and would not Charge.

Chosroes abashed.

Is miserably overthrown.

34. Suspecting his strength, he betook himself to Craft, and indeavoured to spend time; but *Curs* a *Scythian*, who led the Right-wing of the *Roman* Forces, fell upon him with such violence, that the *Persians* gave Ground, and great Execution was done upon them. He set upon the Rere, where their Baggage and all their Preparations for War lay, took all the King's Treasure and Jewels, all his Ammunition, great sums of Money, and drove away the Beasts with the burthens on their Backs; wherein lay the Fire which *Chosroes* adored for his God. All this while the King stirred not, so fearfull he was to ingage with *Curs*, and onely some Skirmishes followed till Night came on, and then he caused a mighty Fire to be kindled; and the *Roman* Army being divided, he set upon that Party which lay toward the North, which giving back upon the surprize, he went forward, and took *Meletina* a City forsaken by its Inhabitants, which having set on Fire, he purposed to cross the River *Euphrates*. The *Roman* Armies uniting and following him close in the Rere, in great fear he mounted an Elephant, and so passed the River; but the greater part of his Army in Swimming and conveying themselves over, was drowned in the deep Water. Hearing of this misfortune, he got him away with all speed, with all the Company he had left, and returned into the East, where as yet the League was of Force, and none could assault him. *Justinian* after this over-ran the Borders of *Persia*, where he continued all Winter without any disturbance, and about the latter end of *June* returned back without any loss of Men, but with great Reputation. *Chosroes* being exceedingly discouraged, and out of measure discontented at this Success, languished under the change of his Fortune, and swallowed up in the Gulph of displeasure, died after a lamentable sort, leaving a Law behind him, that the King of *Persia* should never after that day take Arms against the *Romans*; which was an everlasting Monument of his flight and overthrow. Thus much *Euagrius*; from whose Speech concerning the League yet in Force in the East, it appears that this his Invasion was made presently after the taking of *Daras*, and not after the expiring of the Triennial Cessation, as *Baronius* imagined. His despising the Truce, and yet expecting security from it, discovers to us that insolent and faithless Humour, of which *Procopius* accuseth him, to whose Character of the Man, and this Relation of *Euagrius*, we must add some things observable out of *Agathias*, who lived also at this time whereof we Write.

Dies in discontent.

Agath. Hist. l. 4.

35. This Authour makes him Superiour to all Kings that ever Reigned in *Persia*, for Success and Felicity of Government, not excepting *Cyrus*, or *Darius Hystaspis*, nor that *Xerxes*, who, as he words it, rode on Horseback over Seas, and sailed over Mountains. But as great as he was in his Life, he had a miserable and inglorious Death, most contrary to the Splendour of his Reign. For making his abode at that time about the *Carduchian* Mountains, he retired into a Village of the *Thamani*, convenient to refresh himself in after his Labours in the heat of Summer,

Οὐδὲ μὴν ἔφυγεν ἐκεῖνον ἡ ἐπὶ πάσαν τὸν δυνάμενον ἐν ἡ τοῖς θρόνοις καταβαλεῖν.

Μαμίκιον ἢ ὁ Παύλου, τὸν Τιβερίου Κωνσταντίνου τοῦ Ῥωμαίων Βασιλέως ἔγγονον καὶ Ἥφαιστον τοῦτο μεταφράζουσιν. *Hoc sic interpretatur Vulcanius. Mauricius Pauli filius à Tiberio Constantini Romanorum Regis filio Legionibus Orientalibus ut præfect justus: Peßimè; non enim Tiberius fuit filius Regis vel Imp. Romani. Thrax fuit, atque Agathias non scripsit Τιβερίου τοῦ Κωνσταντίνου, sed Τιβερίου Κωνσταντίνου. Tiberio enim Cognomen erat Constantinus, atque id vulgare Principibus assumere nomen alicujus qui rerum gestarum Gloria claruit, vide infra parag.* 47.

where making some stay, it happened, that *Mauricius* the Son of *Paul*, who by *Tiberius Constantine* the Emperour was set over the Armies of the East, made sudden irruption into the Countrey of *Araxes*, which joyned to the Territories where he lay, and proceeded so far, that he passed the River *Zirina*, plundering and wasting all places with Fire and Sword. He went on in this terrible manner, so far till *Chosroes* himself saw the Flame, who never having beheld such a Spectacle, was with fear and shame together confounded, so as he could make neither opposition nor defence, but by immoderate Grief, falling into Desperation from the Anguish of his Mind, contracted a grievous and incurable Disease, and being in a Litter speedily conveyed to his Palaces of *Selucia* and *Ctesiphon*; not long after this Recess, or flight rather, ended his days: Concerning the false Report raised of his great Learning, the Reader if he please may consult this Authour, who shews the Ground and occasion of the mistake in a Digression not proper for us to insert. But we must observe, that either *Agathias* or his Transcriber was mistaken, in joyning the fifth year of *Chosroes*, with the twenty eighth of *Justinian*, as if he had begun his Reign in the twenty third of that Emperour, seeing that he Reigned eight and forty years. For if *Cabades* died, and *Chosroes* made a League with *Justinian* in this fifth year; then could he not begin his Reign in the five and twentieth; and forasmuch as it is plain that he died in the Reign of *Tiberius*, had he begun to Reign in the twenty third of *Justinian*, and Reigned eight and forty years, he must have reached the Government of *Mauricius*, which things cannot hold together; we conclude therefore with *Baronius*, that he begun his Reign in the fifth year of *Justinian*, and ended it in the second of *Tiberius*, though not just after the defeat given him by *Justinian*, but after *Mauricius* was sent into the Eastern parts (for as we said, the expedition of *Justinian* was made before the end of the Triennial Truce, and must be cast back two or three years) in the fourteenth year of *Justin*, *A.D.* 579.

The manner of his Death.

36. The year following being the third of *Tiberius*, about Noon happened such an Earthquake at *Antioch*, and *Daphne* adjoyning to it, that all *Daphne* with the Force thereof fell to the Ground, and many both publick and private Buildings within the City were much shaken and dis-joynted. There happened also both at *Antioch* and *Constantinople*, as *Euagrius* relates, other Calamities which require a long Discourse, and caused great Tumults and Sedition; but arising, as he saith, from Godly Zeal, and being of Ecclesiastical concernment, we shall with him defer their Prosecution at this time, and return into *Italy* to see how the *Lombards* there behave themselves. And here we could complain of the Injury of time which hath deprived us of the Monuments of their Actions, having little left us, but what *Paul* has written of this Subject, who not handling it with that Accurateness as *Procopius* doth that of the *Goths*, hath passed by many things of great Concernment; for he was not an Eye witness, but lived two hundred years after in the days of *Charles* the Great. But from the History of *Gregory* the Bishop of *Tours*, he tells us, that after the Captains had cantonized the Countrey, some of them invaded *Gall*, which wasting and rifling, they defeated and slew *Amatus* the Patritian, the Subject of *Guntramnus* King of the *Franks*, who opposed them with an Army, and having made great Slaughter of the *Burgundians*, returned into *Italy* inriched with inestimable Booty. This incouraged them to make a second Attempt, and they pierced as far as *Muscie Calmes*, near to the City *Ebrodunum*; but there they were met with and incompassed by *Emnius*, called also *Mummulus*, who with a party of *Burgundians* fell upon them, and killing many took the rest Prisoners, whom by his Kings order he distributed here and there all, except some few that escaped into *Italy* with the News.

Euagrius lib. 5. c. 17.

How matters went in *Italy*.

Gregor. Turon. lib. 4. c. 36.

Paulus Diaconus de gest. Long. lib. 3.

37. The *Lombards*, as we said before, besides other sorts of People, brought some *Saxons* with them into *Italy*; it being accorded betwixt them, that the *Saxons* should have lands assigned after the Conquest. But they could not well agree together; it seems the *Saxons* would not truckle under the *Lombards*, and the *Lombards* would not permit, that they should be a Body Independent of, and distinct from themselves; therefore they resolved to return to their own Countrey, by the way of *Gall*. In their first Attempt, they were sore distressed by *Mummulus*, who killing a great number of them, and taking many Prisoners forced them back into *Italy*. Yet for all this, they returned with their Wives and Children, and all they had, purposing by the leave and assistence of King *Sigibert* to return home, and for this purpose they divided themselves into two Parties; whereof one took the way of *Nicæa*, and the other passed on by *Ebrodunum* the very same way they had retreated. They maintained themselves by Corn that was now Ripe in the Fields, some Cattel also they took, and did not altogether abstain from rifling and burning the

The *Saxons* return home.

the Towns. When they were come to the *Rhone*, *Mummulus* again meets them with a great Force, but permits them with Money to purchase their passage, and so at length they came to *Sigebert*; cheating the People in their way by Counterfeit Gold, and returned to their former Seats, which they now found seized by the *Suani*, and other sorts of People. In great Indignation they fall upon them, and will drive those Intruders out. They offered them first the third part of the Countrey; affirming there was room enough for them all, and after, when this would not be accepted, the half, nay two parts of three. Nay rather than Quarrel, they would give them both their Lands and all their Cattel; but the *Saxons* would not be satisfied with any thing but fighting, and they agreed before hand, how the Wives of the *Suani* should be distributed. But see how they reckoned without their Host. They lost twenty thousand Men in one Battel, and the *Suani*, remained Victours, missing but four hundred and eighty of their number. Six thousand of those *Saxons* that remained, bound themselves by a vow never to cut their Hair nor Beards, till they should be revenged upon the *Suani*: But all would not doe; they were again defeated, and at last content to sit down and be quiet.

Defeated by the *Suani*.

38. But to return to the *Lombards*, three of their Captains, *Amo*, *Zaban* and *Rhodanus* following the example of the *Saxons*, made also an Irruption into *Gall*. *Amo* taking the Road of *Ebrodunum*, came as far as *Machovilla*, a Town bestowed upon *Mummulus* by his Prince, and there pitched his Camp. *Zaban* by another way came to *Valentia*, and *Rhodanus* set upon *Gratianopolis*, or *Grenoble*. *Amo* wasted the Province of *Arles*, as far as the City of *Marseilles*; and his two other Friends were not less busie in plundering, wasting and burning all places wherever they came. *Mummulus* having Intelligence of their motions, first fell upon *Rhodanus* busie in the Siege of *Gratianopolis*, and killing many of his Men, drove him up into the tops of the Mountains wounded, as he was, with a Lance. Thence with five hundred men through unknown Tracts he passed to *Zaban*, who then besieged the City *Valentia*, and gave him an Account of all that had happened. They joyned their Forces together and wasted the Countrey as far as *Ebrodunum*, where *Mummulus* met with them, and by a notable defeat restrained their farther Rapines. Then did *Zaban* and *Rhodanus* return into *Italy*, and came to *Secusium*; which City *Sisinnius* the *Magister Militum* held for the Emperour. Hither *Mummulus* sent a Youth with Letters, signifying he would be with him speedily, which *Zaban* and *Rhodanus* understanding departed without any more to doe, to their own Cities. *Amo* informed of what had happened with all his Booty, took the way again for *Italy*, but being stopped by the great Snows that fell, was forced to leave a great part of it behind, and passing the *Alpes* with much difficulty at last got home.

The *Lombards* make a Fruitless expedition into *Gall*.

39. To be even with the *Lombards*, not long after, the *Franks* invaded their Borders, and took by surrender a Fort called *Anagnis* something above *Trent*, which being looked on as a great affront by *Ragilo*, or rather *Raligo* a *Comes* of the *Lombards*, he wasted all the Territories about it, and in his return with his Booty, was encountred by *Charamuichis* a Captain of the *Franks*, who slew him with many of his followers, and passing to *Trent*, rifled and wasted all places about it. On his back came *Euin* the Captain, or Duke, if so you will call him, of *Trent*, and in the place called *Salurnis* in way of Retaliation, cut him off with all his Men, and recovered the Booty; which done, and having expelled the *Franks* from all his Territories; he married afterward the Daughter of *Garibaldus*, King of the *Baioarii*. About this time, that we may now return and visit the Eastern parts, died *Justin* the Emperour, after he had Reigned sixteen years nine Months and an half. Being near his end, he called *Tiberius* his Collegue to him, and in the Presence of the Senate, and *Eutychius* the Patriarch gave him this Advice that follows.

And the *Franks* into *Italy*.

Ralig, Consilii patiens; aliter Raleigh, & in vocab. Allem. cum Augmento, Peraldus.

Justin the Emperour dies.

His Advice to *Tiberius*.

40. " Behold, saith he, God Almighty thy Benefactour bestowed this Habit on " thee, and not I. Honour also thy Mother (meaning *Sophia* the Empress) for- " merly thy Lady, for thou knowest thou was first her Servant, and then her Son. " Rejoyce not in Bloud, have nothing to doe with Murther, neither render Evil " for Evil, lest thou imitate me in the Evil of Malice. For I being a Man, have " offended and am a guilty Person, and have received according to my deserts; " but stand in Judgment with those, who have so rewarded me at the Tribunal " Seat of Christ. Let not the Habit thou weares puff thee up. Have as great a " Care of all committed to thy Charge, as of thine own Concernments. Consider " what thou wast, and what thou art like to be. Avoid pride, and thou shalt not " sin. Thou knowest well what I have been, and what I am. All these are thy

Cedrenus & Hist. Miscella.

"Children, as well as Servants. Thou knowest I have conferred this Honour upon thee, out of Respect to those, that are as near and dear to me as my Bowels. "When thou seest them, conceive that thou beholdest the very Commonwealth. "Take a special Care of the Army: Admit into it neither effeminate nor impru"dent Men; neither ever regard those that say, the Emperours that Reigned before "thee, were such and such. These things I give thee in Charge, and having dear"ly experienced the Truth and Conveniency of them, advise thee to act accord"ingly. Such as are Rich let them enjoy their Wealth, and such as are poor Re"lieve. Then the Patriarch going to Prayers, all the Company concluded with *Amen*; and *Cæsar* falling at the Emperour's Feet said unto him. "I am at your Di"sposal, both Life and all I have: To which the Emperour replied; *That God who made Heaven and Earth, put into thy Heart, what I have forgotten*, and proceeding in Words to this purpose, he drew abundance of Tears from all the Assembly. Not long after, his Disease returned upon him with violence, and he died. His Body was deposited in the *Heræum* of *Justinian*, in a *Proconnesian* Coffin, and by him was afterwards laid his Wife *Sophia*. *Paulus Diaconus* gives us his Character in short thus: He was addicted to all sort of Covetousness, a despiser of the Poor, and a spoiler of the Senatours; so greedy of Wealth, that he caused Iron Chests to be made, wherein to bestow the Coin he had ravenously scraped together. This man despising the command of God was deprived of Reason, and fell mad. Yet if he made such sober and pious Discourses, both at the Promotion of *Tiberius*, and at the time of his Death; what general Character soever is given him by these Writers, we must think he had his *Lucida Intervalla*, not onely as to his Intellectuals, but his Morals too.

De gest. Longobard. lib. 3. 11.

41. *Tiberius* now after his Death was, according to the Custome, to go in State to the Shews of the *Circus*, and there many expected his coming, who were of the Faction of *Justinian*, the supposed Nephew of *Justinus*, with intention to doe him a mischief. But he went from Church to Church, and passed still through Sacred places, where having performed his Devotions, he sent for the Bishop of the City with the Consuls and Prefects, and so entred the Palace. Then being clothed with the Purple, Crowned with a Diadem, and Seated on the imperial Throne; he was confirmed in the Government with great applause. The Factionists then, who expected his coming to the *Circus*, hearing what was already done, stole away, and after a few days *Justinian* himself came and cast himself at the Emperour's Feet, bringing with him as a Present fifteen Centenaries, and he, according to his wonted patience, received and commanded him to attend him in the Palace. Thus he escaped this danger in the *Circus*, but not long after, was intangled in greater Difficulties created him by *Sophia* the Widow Empress, who forgetting her Ingagements formerly made to him, attempted to promote *Justinian* to the Throne, while he according to the Custome of the Emperours, was to pass thirty days in the Countrey, at the time of Vintage. He having timely notice, returned with all speed to *Constantinople*, took her and all her Treasures Custody, leaving her onely so much, as would supply her wants. He removed her Attendants, and placed others about her, whom he could trust; Charging them that the other should never come in her Presence. He sorely rebuked *Justinian*, and that was all, for he shewed he had great kindness for him, promising to marry his own Daughter to his Son, and that his Son should marry *Justinian's* Daughter; although these cross Matches never took Effect.

Tiberius escapes a Danger.

Gregor. Turon. lib. 5. *c.* 30. *& Paulus Diacon. de gest. Longob. l.* 3. *c.* 12. *Vocato ad se urbis Papa cum Cass. ac Prafectis.*

Secures *Sophia* the Empress.

42. Why *Sophia* the Empress should be thus changed in her Esteem and kindness for *Tiberius*, other Historians supply us with some Womanish reasons. She took it heinously, that at his Coronation he named Empress his Wife *Anastasia*, whereas she imagined he had no Wife at all, but intended to marry him after her Husband's death, and for that purpose procured him to succeed him. Thus frustrated of her Expectations in a great Huff and disdain, she quitted the Court, and went to live by her self in the Palace called by her Name. The Latin Writers tell us a story how *Tiberius* for his Piety, and especially his Charity to the poor, had the Treasure of *Narses* discovered to him by the old Man, that was Conscious to the hiding of it; but it's much suspected, because the Greek Historians speak nothing of any such Matter. However, such was his Reputation abroad, that Ambassadours were sent to Court him from several Princes, and amongst others, from *Chilperick* the King of the *Franks*, to whom *Tiberius* sent several Presents, amongst which were remarkable, some Medals weighing pounds a piece, having the Emperour's Image with this Inscription about it; *Tiberii Constantini, Perpetui Augusti*, and on the reverse a Chariot with four Horses, and a Driver with these Words, *Gloria*

Zonaras & Cedrenus.

Mauritius made General.

Gloria Romanorum. As for *Justinian* it's certain, he was put out of Command (*Euagrius* saith, because he had not such Success, as formerly against the Barbarians, but we know the Throne brooks no Rival) and *Mauricius* was made General of the East, who by Birth and Name was of old *Rome*, but because of his Ancestours and Parents, he owned *Arebissus* a City of *Cappadocia* for his Countrey. *Lib.* 5. *c.* 19.

43. *Mauricius* was, as *Euagrius* sets him forth, a very wise Man, very diligent and exact in business, of a firm and constant mind, and of a very good Life and Conversation. He so bridled his fleshly Lusts, that he not onely abstained from such things as provoked to Lust and Sensuality, but even from necessaries themselves. He would not lend any Ear to stories, nor hearken to every Man's tale. He stopped his Ears not with Wax (as the Poet hath it) but with reason, which he used as a Key to open and shut them as there was occasion. Ignorance the Mother of boldness, he banished far from him, knowing that in rashness there is Peril, and in Advisement and Deliberation great Security. Fortitude and Prudence bore in him such sway, that all businesses he accommodated to time and place, and so restrained his Appetite, that in all things he never exceeded Moderation; such being his Disposition, with great success he made War in foreign Countries. He took both Cities and Castles, such as stood most convenient for the *Persians*, and so great Booty, that with Captives he filled Isles, Towns and Countries that had lain a long time desolate and not inhabited, causing the Land to be tilled and brought into order. Of these men he had numbers sufficient to make up Armies, which fought stoutly against other Nations, and furnished all Families with Slaves. He waged War with the cheifest of the *Persians*, as *Tamochosroes* and *Aduarmanes* who brought great Armies into the Field; but after what manner, and how prosperously, saith our Authour, let others relate, or we in another work perhaps may shew, because in this present Volume we promised to treat of other matters. But neither he nor any other performed this part of service to Posterity, or if they did, some unlucky accident hath deprived us of the fruits of their Endeavours.

His Character.

His success against the *Persians*.

44. Therefore what we our selves have not, we cannot give, and the Reader must be satisfied, though we do not relate all actions with the same clearness and enumeration of Particulars. For as where we have matter, we ought as fully to inform him as the nature of this Design will bear, so on the other side, we do not pretend to write Romances; But thus much *Euagrius* tells us, he will now say, that *Tamochosroes* was defeated not through the valour of the *Roman* Souldiers, but by the onely Piety of their Captain and his Faith in God, and as also that *Aduarmanes* was overthrown by plain force of Arms, and after a great slaughter of his men put to flight, and that this was done not onely when *Alamundarus* Captain of the *Scenitæ* had betrayed *Mauricius*, by not coming over *Euphrates*, and fighting against those *Scenitæ* that were of the contrary Faction, but also when *Theodorich* who commanded the *Scythians* durst not venture within Bow-shot, but fairly took him to his heels, and with his men ran away. What *Euagrius* here relates in short, some assign to the third year of *Tiberius* precisely, yet doubtless it took up several years in acting. *Miscella Hist.*

45. The next year was the last of *Tiberius* the Emperour, who died in *August*, after he had Reigned four years alone, and as much with *Justin*, a month onely excepted. An excellent Person, and worthy of a longer Reign, the Empire flourishing under his Government. *Gregory* of *Tours* assures us, he left the People in Tears and Lamentations because of his Departure, for he was mighty good, very Charitable, just and wary in Judgment, despising no man, but bearing every one good will, being loving to, and extremely beloved by all men. To his Title and Dignity of Emperour succeeded *Mauricius*, who had three years before been created *Cæsar* very solemnly, and adorned with a Diadem. At the solemnity, as *Nicephorus* Writes, was present *John* the Patriarch, and another *John*, a Rhetour or Oratour, made a short speech to *Mauricius* in the Emperour's name. "He exhorted him from "his Government, to raise a beautifull Monument to his Predecessour, to adorn "his Sepulchre with his Vertues, and not frustrate the expectations of those who "were committed to his Trust, neither to forget his own Morals, nor quit the "wonted generosity of his Spirit. See thou restrain, saith he, by force of reason "that Insolency to which power is subject, and by the Arts of Philosophy wisely "steer the Vessel of thine Authority. For Empire is an high and lofty thing, puf"fing up such as are exalted, and obliterating what was formerly well conceived "and intended. Because thou art in Fortune, do not therefore think thou art in "Wisedom advanced above all others. Endeavour to procure the love of thy Sub"jects, rather than to keep them in fear and awe, and esteem downright dealing "better

Tiberius Dies.

Hist. Franc. l. 6. *c.* 30.

Mauricius succeeds.

L. 18. *c.* 6. *Vide Baron.*

"better than flattery and dissimulation; for Power will hardly admit of Admoni-
"tion and Reproof. Let Justice be ever before thine Eyes, as that which is able
"to reward all our Actions.

46. "Let the study of Philosophy move thee to account of this Purple, no o-
"therwise than as of the vilest Ragg, and to imagine that the Crown wherewith
"thy Brows are circled, differs nothing from the Pebbles that lie on the Sea-shore.
"The sad colour of the Purple seems to hint unto Princes, that moderation of mind
"which they ought carefully to retain in their prosperous Estate, that they be not
"too much exalted or be proud in these Mourning weeds of Monarchy; for the
"Sceptre tells them not, that they exercise any immoderate power, but rather un-
"dergo a splendid servitude. Restrain thine Anger by humanity and mercy, and
"all arrogance by fear. For Nature to Bees hath assigned their Leaders, and armed
"their Kings with a sting, as a natural faculty to prick him forward that will not
"doe his Duty, but this sting is not Tyrannical but Just, and accommodated to the
"general utility, and the common good; let us imitate them herein, for reason
"it self cannot suggest to us better Councils. These things speak I to thee as thy
"Parent, and for a witness of mine Intentions, thou shalt have Authority free from
"all prejudice and Corruption, which rewards Vertue and punishes and restrains
"whatsoever is contrary to it. This Oration of the Emperour was followed by the tears of the Spectatours, and he adorned *Cæsar* with the Crown and purple Robe, and great Acclamations were made, testifying the satisfaction of the People in what was done, and their acknowledgment of the merits of him whom they saw preferred, but especially of the Wisedom and forecast of their Emperour. Thus was *Mauricius* inaugurated *Cæsar*, but enjoyed not the title of Emperour till the Death of *Tibenius*, which fell out in the fourth Indiction, the eighth year of *Childebert* King of the *Franks*, the ninth of *Pelagius* the Second, the *Roman* Bishop, and the five hundred eighty sixth of our Lord, as is commonly computed, but rather in the DLXXXII.

47. *Euagrius* tells us, that when *Tiberius* was ready to yield up the Ghost, he assigned to *Mauricius* his Daughter *Augusta* in Marriage, with the Empire for her Dowry, and Proclaiming him Emperour, bestowed on them also his own Names; for *Mauricius* he called *Tiberius*, and *Augusta* he named *Constantina*. *Mauricius* being setled in his Throne, made great preparations for Celebration of his Marriage, whereat were present his own Father and Mother a circumstance which, if our Authour observe right, never happened to any Emperour before. He affirms that a more Royal and Magnificent shew never had been formerly made; and whereas *Plutarch* wrote, that both Valour and Fortune joyned in advancing the grandeur of *Rome*, he is bold to say, that true Piety and Felicity so concurred in *Mauricius*, that Piety suffered Felicity to be joyned with her, and would not permit her to be baffled or overthrown. The Emperour not onely adorned his Head with the Crown, and his Body with Purple, but his mind also with pretious Ornaments. For in a manner, he was the onely Emperour who ever commanded himself, who banishing from his mind all popular Perturbations (so he words it,) and setling the Dominion of Aristocracy in the Seat of Reason, made himself a perfect Pattern of Vertue for his Subjects to imitate. And our Authour professes he faith not this to flatter him, seeing he could not possibly know what he now wrote, but merely constrained by that evidence which the real effects of his prosperous Government carried with them, being absolutely the blessings of Almighty God. He adds, that this Emperour was above all others mercifull, not permitting those to be put to Death that had well deserved it, as *Alamundarus* Captain of the *Scenitæ* in *Arabia*, who had betrayed him, but was for punishment onely banished into *Sicily*. Moreover *Naamanes* his Son who had done infinite mischief to the Empire, who had wasted the two *Phœnicia's*, and *Palæstine* he kept onely in free custody when all men desired his Head, inflicting on him no other punishment. And the like clemency he shewed to infinite other persons.

Lib. 5. *c.* 22.

Euagrius his high Commendations of him.

48. One *John* a *Thracian*, he made General of his Forces in the East, who some times did well, but otherwhiles ill, and deserved no great Commendation. Into his place then he chose *Philippicus* who had married his Sister. He made great spoil in the *Persian* Dominions, and killed many of their great men: The Souldiers also he brought to exact Discipline from Riot and Pleasure, making them practise sobriety and temperance. He was succeeded by one *Priscus* a man so supercilious, that none must speak with him except upon some very weighty matter, being conceited that the less familiarity he used, the easilier should he compass his Designs, and the Souldiers would more stand in awe, and with more readiness obey him.

His Generals and their Exploits.

On

On a time having set himself into as severe and haughty a posture as he could, with high and disdainfull looks, and arrogant gestures, he made them a speech of the patience and perils they were to undergo in War, concerning the neatness of their Armour, and of the Rewards they were to receive for their Travel and Service. They heard his impertinent discourse with great Indignation, fell into a Mutiny, and running to his Tent, robbed him of all his Treasure, and had certainly killed him, had he not speedily taken Horse and fled to *Edessa*. Yet this City they besieged, commanding *Priscus* to be delivered up to them, and when the Citizens refused to doe it, they laid hold on *Germanus* a Captain in *Phœnicia*, and proclaimed him their General and Emperour besides. He refusing to comply with their seditious humour, they threatned to kill him; when threats would not doe, they proceeded to whip him and to tear his body, which torments forced him to yield, and with an Oath to promise his compliance with them. All other Officers they displaced, and put others in their room, and behaved themselves in their Quarters with all Insolency, and without any regard to the Laws. *Mauricius* having notice of this Mutiny, sent *Philippicus* to reduce them into order, but him they rejected, and threatned with Death and Destruction those who propounded to listen to his advice. The Barbarians took heart at these disorders in the *Roman* Army, and in their wonted manner Invaded the Province adjoyning. Yet *Germanus* opposed the *Persians* with such success, that if *Euagrius* be to be credited, there was not one of them left to bring home the news of their Defeat.

The Army Mutinies.

The *Persians* utterly defeated.

49. But the *Abarian Avares* came twice as far as the long Wall, and wasting the Countrey before them, took *Singedon*, *Anchialus*, and all *Hellada* with other Cities and Castles, the *Romans* having a great Army lying in the East to no purpose. The Emperour then sent *Andreas* the Captain of his Guards, to perswade them to return to Obedience, and take again such Officers as had commanded them before, but they giving no ear to what he said, at length he pitched upon *Gregory* the Bishop of *Antioch*, the fittest man alive to be employed in this business. For he was both a prudent man, and had got a mighty interest in the Souldiers by his great bounty to many of them, both in Meat, Drink and Apparel, which knowing, he sent to the chiefest of them, and procured them to give him a meeting at *Litarbii*, a Town three hundred furlongs distant from *Antioch*. Being met, he fell down on his Knees before them, and with gentle rhetorick, inforced by many Prayers and tears so wrought upon them, that all their minds on a sudden were changed, and they went out to deliberate with themselves what was to be done. Being after a while returned, they told him they would yield to his request, and then he named *Philippicus* whom they should ask for their Captain. They told him they could not petition for him, because they and the whole Army had made an Oath never to doe it, to which he replied, that the Priest hath power to bind and loose in Heaven and in Earth, and recited to them the saying of Christ to this purpose out of the Gospel. They were perswaded herein also to consent unto him, and then he fell to his Prayers to appease the wrath of Almighty God, and distributed to them the Immaculate Body of Christ, it being then Maunday-Thursday, or the day before the Passion. The number of them was two thousand, yet he entertained them all that night, Couches being made them on the Grass, and the next day returned home, permitting them to assemble where they pleased. *Philippicus* who then resided at *Tarsus* in *Cilicia*, he informed how things stood, and advised him to repair to *Constantinople*, whither he sent an account also of his Transactions with the Army, and what they had resolved concerning *Philippicus*. Shortly after, *Philippicus* came to *Antioch*, and the Souldiers meeting him, desired the Christians to intercede to him in their behalf. They fell at his Feet, and he giving them his Hand, told them, all old Offences were forgiven, which said, they received his Orders and followed him in the Wars.

The *Abares* infest *Thrace*.

The Mutiny appeased.

50. While this Mutiny of the Armies threatned with Ruine the State of the Empire in the East, the City of *Antioch* was again sore distressed by an Earthquake, in the six hundred thirty and seventh year after it was so called, and the sixty first year after that Earthquake which had last happened. *Euagrius* tells us this story, that when as he himself had on the last day of *September*, taken to Wife a Virgin of tender years, and the City therefore kept Holy-day, and flocked to his House with great pomp and solemnity; about the third hour of the Night came such an Earthquake, as with great violence shook the whole City. It so disjoynted the Foundations, that all the Buildings about the Church tumbled to the Ground, the Hemispherical Roof which *Euphræmius* had made of Bay-Trees excepted, which had been so shaken with the Earthquake, both in the time of *Justin* and afterward,

Antioch shaken with an Earthquake.

that

that it leaned much to the North, and had thrust out of their place the mighty great Beams which fell with marvellous noise, but now again the Roof shrunk to it's own place, and stood as it had done before, without bowing to either side. The Buildings of St. *Mario* Church were quite overthrown, all but one middle Porch that was miraculously preserved. The places of *Ostracina* and *Pseplicum*, and all the parts called *Brista* were also ruinated, with other Churches and the public Baths. The people perished confusedly together about threescore thousand persons, as was conjectured by the Bread which was spent in the City. But the Bishop was wonderfully preserved, with those alone of his Family that were near to him, though the whole Lodging he was in fell to the Ground; for when the Earthquake the second time shook the place, and as it were opened the Room, they lifted him up with all speed, and by a Rope let him down to the Ground. God Almighty mixed mercy with his Justice in this respect, that no hurt by fire followed, though in Kitchins, Baths, and other places there were many kindled, as well for publick as private uses. In this Earthquake died many Noble and famous Persons, but the Emperour supplied money for the repairing of the City. Thus *Euagrius* of the Earthquake, who had too great cause to remember it from a notable circumstance.

Sixty thousand Persons perish.

51. Not long after that the Souldiers returned to obedience, *Sittas* one of the Senatours of *Martyropolis* took advantage at the absence of the Garrison, and betrayed the City to the *Persians*. *Philippicus* upon notice marched thither, but wanting necessaries for a Siege, after some vain attempts made to regain the place, the Army drew off, and could not be perswaded by *Gregory* the Bishop, whom the Emperour again employed, to return, because they wanted Engins. Care therefore was taken by fortifying the adjacent Castles, to intercept all succours that should come from the *Persians*, and the Souldiers were disposed of into their Winter Quarters. The year following yet the *Persians* sent a supply, and *Philippicus* ingaging with this party had the better, but so many escaped into the Town, as sufficed to reinforce the Garrison which was their chief design. The *Romans* then perceiving there was no winning of the Town by plain force, went and built a Fort upon the top of an Hill at seven furlongs distance, there to prepare Engins and make all things ready for a Siege, and not long after was *Comentiolus* a *Thracian* Born, sent to succeed *Philippicus* in the command of the Army. He though with danger to his own Person had prosperous success against the *Persians*, of whom such as were left alive, having lost all their Captains ran away to *Nisibis*, and fearing to return to their King who had threatned them with Death, except they brought their Captains home in safety, began to enter into Conspiracy against his Life. In the mean time *Comentiolus* having besieged *Martyropolis*, left there the greatest part of his Forces, and with the rest went and took a Castle called *Ochas*, which stood upon the farther Bank overagainst *Martyropolis* on a steep Rock, whence he had a prospect of the whole City. This being taken in, the *Persians* despaired of holding *Martyropolis* any longer.

Martyropolis betrayed to the *Persians*.

Who despair to hold it.

52. The present King of *Persia* was *Hormisda*, who had succeeded his Father *Chosroes* according to his appointment. And he succeeded him it seems in his Vices as well as his Kingdom, though not in his long and prosperous Fortunes. *Euagrius* calls him the most wicked and unjust of all others; for he not onely robbed his Subjects of their Goods, but plagued them with sundry kinds of Deaths. *Theophanes* to what *Euagrius* hath written concerning the Conspiracy against this King's Life, adds, that *Barames* his General having had ill success against the *Romans*, after the King had in disgrace sent him the Habit of a Woman was deprived of his command. Inraged hereat, he Conspires against him, stirring up the Souldiers by counterfeit Letters, and draws to his Party *Perrochanes*, whom *Hormisda* had lately put into his place, with *Bindois* a Noble *Persian* newly delivered out of Prison, who suddenly entring the Court, pulled the King down from his Throne, snatched the Diadem from his Head and committed him to Custody. After this the Nobility commanding *Hormisda* to be brought out of Prison, sawed in pieces one of his Sons and his Wife before his Eyes, then deprived him of his Eyes, and thrust him into a Dungeon. Yet *Chosroes* his Son treated him very civily, and gave him a large allowance of Diet, which kindness he so little acknowledged, that he trampled all under his Feet that he sent him. This inraged *Chosroes* so much, that forgetting all obligations of Nature, he commanded him with Cudgels to be beaten to Death.

Hormisda succeeded his Father *Chosroes*.

Vide Baron.

Deposed.

And killed by *Chosroes* his Son and successour.

53. This unnatural action of *Chosroes* sore troubled the *Persians*, and procured their hatred against him, which was increased by his putting several Noblemen to Death,

Death, on suspicion that they sided with *Barames* who usurped, which caused the Souldiers to revolt from him, and take the Party of *Barames*. Being now forsaken by all men he fled for his Life, in great doubt whether he should betake himself to the Christians or the *Turks*, in which humour he alighted from his Horse, and laying the Reins on his Neck, resolved to follow him whithersoever he should go, and so he brought him to the borders of the *Roman* Empire. This account we have from *Theophanes*. *Euagrius* relates that *Hormisda* being killed by the *Persians* for his Wickedness, and *Chosroes* his Son being Crowned his Successour, *Barames* took Arms against him. *Chosroes* with a small Army intended to ingage him, but perceiving his men fell away from him, he fled to *Circasium* after he had called upon the God of the Christians, that his Horse should carry him to a most convenient Place. Being arrived there with his Wife, two young Children and certain Noble men of *Persia*, he sent and craved favour of *Mauricius* the Emperour, who, after mature deliberation of the matter, considering how fickle and instable all humane things are, accepted of his suit, and instead of a banished Man, made him his Guest, instead of a sorrowfull Fugitive, his loving Son, and bestowed on him divers things in a Royal and munificent manner, the Empress shewing the like bounty to his Wife, and their Sons to the Children he had brought along with him. Moreover *Mauricius* assisted him with his whole Force in the recovery of his Kingdom, sending a Captain with him, to conduct the Army whithersoever he should desire. He supplied him with an incredible summ of Money, and thus furnished he was brought out of the *Roman* Dominions as far as *Martyropolis*, where *Sittas* the Traitour was delivered into his Hands, and being stoned by the Citizens, was hanged on the Gallows. The City of *Daras* was also given up to him, the *Persians* being privily stoln away, and the *Romans* having in one battel quite defeated *Barames*, who fled away alone with great infamy. Then was *Chosroes* restored to his Kingdom, this bloudless victory being obtained, as *Theophanes* writes, by the conduct of *Narses*, whom *Mauricius* sent General of the *Roman* Army.

Who is driven out, and flies to *Mauricius*.

Mauricius sends him into his Kingdom with an Army.

He is restored.

54. This same year that *Chosroes* was restored, being the Eighth of the Reign of *Mauricius*, after the Army returned out of the East, the Emperour himself, in the beginning of the Spring, led it down to *Anchialus*, to oppose the *Abares*, who, as the Rumour went, were resolved to waste the Countrey of *Thrace*, and all as far as that City. At their demand he had sent them a golden Table, and many Talents of Money, to purchase Peace, but this not taking effect, he passed to *Perinthus*, then called *Heraclea*, being sorely distressed by Tempests, and having made *Priscus* General of the Forces in *Europe*, after great loss received from the Barbarians, he returned again to *Constantinople*. The *Abares* and *Slavini* having crossed the *Danube*, under conduct of *Chaganus*, an *Hunne*, over-ran *Thrace*, came at length as far as *Heraclea*, and by strategem took *Didymothicum*. The violence of these Barbarous Nations the Emperour restrained, as our Historian observes, by his admirable Art and Policy. He rigged up his Navy, and made as though he intended to invade their Territories, the report whereof struck them with great fear, and in a great perplexity they returned home. After their departure he put strong Garrisons into the places lying upon the *Danube*, to hinder their passage for the time to come, and *Priscus* returned to *Constantinople*, where he was called to account about the Plunder, and put out of his Command, which was conferred on *Peter*, the Emperour's Brother. But he, in the discharge of his Office, did nothing answer *Mauricius* his expectation, and therefore he soon again deprived him, and restored *Priscus* to his former Place and Dignity. To this *Priscus* is extant a Letter written by *Gregory* the Great, then Bishop of *Rome*, wherein he congratulates his Restitution, and gives him very good Advice.

Mauricius his ill success against the *Avares*.

Nicephorus, lib. 18. c. 18. Vide Baron.

By his craft he makes them retreat.

Lib. 2. Ep. 51. Indict. 11. Baron.

55. Thus restored to his place *Priscus* returns to the *Danube*, to watch the motions of *Chaganus*, whom finding resolved to make another Incursion, he sends one *Theodorus*, a Physician, to him, to perswade him to embrace Peace and a good Understanding with the Emperour. He finds him excessive proud, and full of arrogant Conceits and Expressions, using this amongst the rest, *That they should find he would make himself Lord and Master of all Nations*. *Theodorus* takes him down by an old story, how *Sesostris*, King of *Egypt*, having subdued several Kings and Kingdoms, caused himself to be drawn in a Chariot by four of those unfortunate Princes, whereof one, as he was yoked and drew in the Chariot, would still look back, and keep his Eyes fixed upon one of the Wheels. *Sesostris* taking notice of this his constant course, would needs know what remarkable thing there could be on which he could gaze so long together. He told him it was the Wheel, which being so unstable, as in a perpetual succession to elevate and depress its several parts,

was a perfect resemblance of the Vanity and Inconstancy of all things incident to humane Life; which Saying *Sesostris* so seriously weighed, that he would be no more drawn in his Chariot by those Kings. *Chaganus* smiled at the story, and knowing his meaning, signified to *Theodorus*, that he was not averse to Peace, which *Priscus* purchased, and the Barbarian drew off his Forces from the *Roman* Territories. This Year, which was the eighth of his Reign, *Mauricius* caused his Son *Theodosius* to be crowned by *John* the Patriarch on *Easter*-day, and took him to be his Collegue in the Empire, being a Child about five years old.

Peace bought of *Chaganus* their Leader.

56. *Paul*, the Historian of the *Lombards*, and other Writers, differ concerning the time of the Death of *Mauricius*, as joyned with other matters, they placing several things before it, which he sets after at a good distance. That the *Sclavi*, or *Sclavini*, some time before his death, invaded *Histria*, *Paul* affirmeth; but this was in conjunction with the *Lombards* and *Avares*. Afterward, about the latter end of *Phocas*, as he tells us, their King *Cacanus*, or *Gaganus*, with an innumerable multitude, invaded the Borders of *Venetia*, but *Baronius* placeth that expedition of the *Sclavi*, and this of *Cacanus*, in the same year. *Gregory* the Great, in an Epistle to *Maximus*, Bishop of *Salonæ*, laments that by the way of *Istria* the *Sclavi* had already entred *Italy*; but nothing doth he say concerning *Gaganus* his Invasion of *Venetia*, which *Paul* placeth in the Reign of *Adaloaldus*, and a good space after the death of that Bishop. But whatever waste or destruction soever the *Sclavi*, or *Sclavini*, made in the Western Parts, the disturbance they wrought in the East was great, where they put *Mauricius* into great Fears and Care. In his eleventh Year they rose up in great multitudes, to cross the *Danube*, of which he having notice, sent away *Priscus*, with all the *Roman* Nobility, to restrain them. Their Captain hereat affrighted, sent to *Priscus* to expostulate and complain, that the Emperour first made War upon his Neighbours. He answered, he had no Commission to make War, but onely to restrain the frequent Invasions of the *Sclavi*; yet perceiving that they carried it cunningly, and that *Ardagastus* was sending abroad multitudes to forage, at midnight he silently passed the River, and fell upon him when he expected nothing less, cut off many of his Men, and forced him to desert them, and hide himself before such time as he could mount, which done, the Countrey wasted, and many Prisoners taken *Priscus* returned in triumph to *Constantinople*, where he was received with extraordinary great joy.

Paul and other Historians differ.

The *Sclavi* invade the East.

Defeated by *Priscus*.

57. Three or four years after this Victory was obtained against the *Sclavi*, *Mauricius* fell desperately sick, and, as one leaving this World, disposed of his Empire to his Children in this manner. To his eldest Son *Theodosius* he gave *Constantinople*, with the Eastern Provinces; and to *Tiberius*, his second Son, *Rome*, with *Italy*, and the Islands of the *Tyrrhenian* Sea. The other Provinces he distributed to the rest of his Sons, who being very young, he made *Domitianus*, his Kinsman, the Bishop of *Melita*, a man very diligent and fit for business, their Tutour or Guardian. But this Disposition came to nothing, the great Disposer of all Empires and Dominions having otherwise ordained concerning *Mauricius* and his Sons, as we shall shortly find. But the year following his Recovery, to testifie his gratitude to his Maker and Restorer, as we have ground in charity to judge, he sent to *Rome* thirty pounds of Gold to be distributed to the poor of that City, with Gowns to be given to the Souldiers as a military Donative, for all which *Gregory* the Bishop gives him humble Thanks in a Letter full of Duty and Observance to him his Prince. The Messenger by whom these things were sent was *Julianus Scribo*, who entring upon his Office in *Italy*, oppressed the poor People more than did the very Barbarous Nations that invaded their Countrey, having been beaten from *Constantinople* by the multitude for violence offered to the *Patriarch* of that City, at such time as the *Sclavini* were on their march thitherward, wasting and destroying all things in their passage. For that after the defeat given them by *Priscus*, they yet returned, and in several years following harassed *Illyricum* and *Dalmatia*, with other Provinces, is too clear and evident.

Mauricius being sick, distributes the Provinces to his Children.

Which came to nothing.

Thanks for his Recovery.

Ex Oratione Photii, apud Theophilactum. Vide Bar.

Triginta iratz, libras auri, quas consumulus misse Busa detulit Scribo, Sacerdotibus egenis, & aliis fideliter erogavit. Lib. 8. Ep. 2. Indict. 3. Vide Bar.

58. But amongst the other Barbarians the Emperour rightly judged, that more than an ordinary strict Eye was to be had to the motions of *Chajanus* or *Chaganus*, King of the *Avares*, and therefore *Priscus* was ordered to lie at *Singedon*, and observe his Actions, who had taken up his quarters in the City of *Sirmium*. The Feast of *Easter* was now come, but the *Roman* Army was ready to be starved, no provisions being to be had in the Countrey adjacent. *Chajanus* understanding so much, signifies to *Priscus*, that if he would send his Waggons to fetch it, he would give him what was requisite to the celebration of that high Festival, with such chearfulness as became the Christian Profession. *Priscus* sent him forty Waggons with

with such Presents as he could make, and received Provisions sufficient for the time of the Festival, during which all Acts of Hostility ceased, and without the least fear or Inconvenience they conversed together. But the Feast being over, the Barbarians separated themselves, and wasted the Countrey of *Thrace* at their pleasure, revelling and feasting splendidly one another. They at *Constantinople* were so much affrighted, that they consulted about quitting *Europe*, and removing to *Chalcedon*, and other places in *Asia*. The Emperour made as good preparations for defence as he could. Having fortified the Wall, he put the ordinary sort into a posture of defending the City, and at the request of the Senate sent one *Armazo* on an Embassy to *Chajanus*, with rich presents, and gentle words, to sweeten the humour of the Barbarian, but the Ambassadour chanced to come in a very ill time, when a great Pestilence had seized on the *Avares*, and in especial manner had afflicted the Family of *Chajanus*, who lost no fewer than seven Sons in one day, and now in anguish of mind, being ready to depart home, desired God to judge betwixt himself, the Ambassadour, and his Master, and offered to release his Captives for a very small matter to be paid him for every head.

The *Avares* waste *Thrace*.

Seized with the Pestilence.

Their King kills his Prisoners, and imposeth a Tax.

59. The Emperour refused to pay the Money. *Chajanus* thereupon fell the half in his price, but when *Mauricius* refused to give this also, he put all the Prisoners to the Sword, and imposing a Tax of fifty thousand *Aurei* more upon the *Roman* Territories, went his way. The Emperour, by his carriage in this business, exceedingly lost himself, and provoked the Fury and Indignation of the Souldiers, whom he otherwise also incensed, if we give credit to what is related by *Zonaras*. For owing several Companies of them ill will upon the account of some seditious attempts, when he sent them against *Chajanus*, he gave secret Instructions to *Commentiolus*, their General, to betray them, and expose them to such danger as they must necessarily miscarry, which taking effect, it seems that such as escaped the Sword, and had the fortune to be taken Prisoners out of the same inveterate malice formerly conceived against them, he refused to ransome. The Army mutinies, and sends certain Deputies to accuse *Commentiolus* of treachery, amongst whom appears one *Phocas*, who having Audience of the Emperour in his Presence Chamber, urged the matter with vehemence, and demeaned himself with that sauciness and disrespect that he was beaten by the Courtiers that stood by. And the Petition of the Army was rejected, *Commentiolus* kept still in his Command, and the Deputies dismissed without success, wherewith the Citizens of *Constantinople* now began to be concerned, and assembled in a tumultuous manner, and cast stones at *Mauricius*, who making a search after those that were principally guilty of the Riot, punished them according to their desert, but unseasonably, as now the times stood; for both Army and People began to be weary of his Government, and such Plots were laid, as at length accomplished the utter ruine both of him and all his Family.

Mauricius incurs the hatred of his Souldiers.

They of *Constantinople* also fall into a sedition.

60. In the mean time the *Avares* being clear of the Plague, and sensible of the advantages they had upon the *Roman* Empire, betook themselves to their former practices of wasting the Borders, and *Chajanus* delivers to four of his Sons so many Bands of Men, with orders to keep strict watch upon the banks of the *Danube*. Yet the *Romans* got over in Boats, and *Priscus*, who was again employed in this expedition, ingaging with the King's Sons in a Battel, which lasted from morning to night, destroyed four thousand of the Barbarians, with the loss of no more than three hundred of his own Men. Three days after this, getting advantage of the ground, he drove those that survived the former battel into the Fenns, where many of them perished in the Water, and amongst them the Sons of *Chaganus*, who now himself coming against the *Romans*, with a great power of Men, *Priscus* gives him battel, and adds a fresh Victory to his former Successes. To pursue the course of Fortune while she continued in this good humour, he sent four thousand Men over the River *Tissus*, to watch their opportunity, and by a sudden onset to doe some notable feat against the Barbarians in those parts, who, utterly ignorant of what had lately passed, were in the greatest security imaginable, and passed away the time in Feasts and Merriments. Falling suddenly upon them, they slew about thirty thousand of the *Gepidæ*, and others, and returned to *Priscus*, enriched with much booty. *Chaganus* troubled at these things, resolves to try his fortune with *Priscus* another time, and coming to the *Danube*, again ingaged with him; but Fortune still proved unkind, and he had the worst in battel, many of his Men being slain, and many drowned in the River. Three thousand and two hundred *Avares* were taken Prisoners, besides two thousand Barbarians of other Nations. *Chaganus* sent to *Mauricius* to desire a restitution of Captives, and surprized him so, that not

Cedrenus in Ann. 19. Mauricii.

Priscus notably defeats the *Avares*.

having yet received the news of so great a Victory, and ignorant what multitudes he had in his Hands, he ordered the Prisoners to be dismissed.

61. Thus it was clear day with these Provinces, when at *Constantinople* a dismal Darkness and Tempest was gathering over the Head of *Mauricius*, while he celebrated the Nuptials of his Son *Theodosius*, with the Daughter of *Germanus*, a Patrician. As the breeding of ill weather is perceived by some, who from the repugnancy of their Temper and Constitutions, can prognosticate the effects of that change, which they find already made in the Elements; so out of some antipathy, or from other secret Causes, the approach of this dreadfull storm was both apprehended by the Emperour, and others. *Surius* tells of a religious Man, to whom it was revealed what manner of death *Mauricius* should die, after that a Lamp which perpetually burned in the Church, went out of it self, and though many times lighted, yet could not be kept in by any endeavours the Monks could use. Another Monk holding a drawn Sword in his hand, went as far as from the *Forum* to the Brazen Gate, crying out all the way, that the Emperour should die by that sort of Weapon. It was by others told *Mauricius*, that he should fall by the Hand of one whose name began with *Ph*, which made him suspect *Philippicus*, his Sisters Husband, who with all Oaths and Protestations imaginable, disavowed all Plots and Conspiracies whatsoever. These things made him look about him, and reflect upon the passages of his Life, which doing, he found himself much in fault, as to the Redemption of the Captives, which he had refused, and all things considered, he desired rather to receive his punishment in this World, than in that to come, for which purpose he sent to all Patriarchs, to all Monasteries, and to *Jerusalem*, to desire the Prayers of devout persons. Prayers being accordingly made in his behalf in all places, one night he dreamed, that he stood before the Image of our Saviour, erected at the brazen Gate of the Palace, where a great number of Captives accused him: That a voice proceeded from the Image, which commanded him to be apprehended, which being done by the Officers attending, it was demanded of him whether he would be punished in this or another Life. He answered, he had much rather in this Life, than that which was to come, receive what he had deserved, and presently it was decreed, that he, his Wife, his Children, and his whole Family, should be given up into the Hands of *Phocas*, a Souldier.

Things portending the Ruine of *Mauricius*.

Tom. 2. die 22. April. Vide Bar.

Ἀπὸ τῶ φόνε μ. χει τ κακίσε ἔσεσθαι διεγέρ. μαι. *Sic Cedrenus.* Ἀπὸ τῆς ἐξόδε τ καλῶν πραγμάτων. *Sic Zonaras, cujus Interpres vertit hoc modo locum: A foro usq; ad Chalcenpregressus, obscure & imperte.*

62. As soon as he awaked he sent for *Philippicus*, who knowing the Emperour's jealousies, feared he might possibly never return alive, and therefore received first the holy Communion, and then went to Court, leaving his Wife at home, weeping in Sackcloth and Ashes. The Emperour, when he saw him, commanded him that waited to withdraw, and falling at his Feet, besought him to forgive him, telling him he had done him great injury, in suspecting that he had plotted against his Life, whereas now he plainly perceived he was innocent. He desired him to tell him if he knew one *Phocas*, a Souldier in the Army, which he said he did, and that it was he who being sent about the business of *Commentiolus*, had demeaned himself so saucily in his presence. He asked what was the Temper of the Man. He said he was timorous, and yet of a fierce Nature. If he be a Coward, saith he, he is a Murtherer, and then told *Philippicus* the whole story of his Dream. Now this very same night appears a Comet in the Air, such as from the shape of a Sword they called *Xiphias*. And as *Cedrenus* writes, *Magistrianus*, whom he had employed in this affair, returning from holy Men, brought him word that God had accepted of his Repentance, that he would save his Soul, and place him, and all his Family, amongst the Saints; but he must lose the Empire with great Infamy and Damage. *Mauricius* having received the Message, glorified God exceedingly.

63. Matters thus standing, he sent orders to his Brother *Peter*, who commanded the Army, to pass over the *Danube*, and take up their Winter Quarters in the Enemies Countrey. The Souldiers would not endure to hear of any such thing, but fell into a mutiny, and lifting aloft *Phocas*, the Centurion, upon a Target, with lucky Acclamations saluted him Emperour. This as soon as *Peter* perceived, he withdrew, and returning to *Constantinople*, acquainted *Mauricius* with what had passed. The Tidings of the promotion of a new Emperour came to the City almost as soon as his Intelligence to the Court, and as the multitude is ever greedy of change, and weary even of the best things, thereupon they fell into great tumults and disorders. *Mauricius* perceiving here he could not be safe, takes Ship at midnight, with his Wife and Children, and by Tempest was driven to St. *Autonomus*, being at the same time seized with great pains of the Gout. He had sent before his Son *Theodosius* to *Chosroes*, to put him in mind of the good Offices he had done him, and in this time of his extremity, to desire that he might receive the like kindness.

Cedrenus, Zonaras.

The Souldiers salute *Phocas* Emperour.

kindness. But as soon as it was known in the City that he was gone, the Tumults increased, and the multitude reviled him in the *Forum*. When word was brought that *Phocas* drew near to *Constantinople*, those of the Faction of the *Prasini* went out to meet him, Congratulated with the Tyrant his Promotion; and invited him to take Possession of the *Hebdomus*, or the Palace so called. Here *Cyriacus* the Patriarch, and the Senatours made their Addresses, and the Bishop having received from him a Confession of his Faith, with a Promise to preserve the Peace of the Church, Crowned him with the imperial Diadem, and thus was he declared Emperour in the Church of St. *John Baptist*, to the great detriment of the *Roman* State, as was afterward found by the Innumerable mischiefs that followed. Two days after, in an Emperial Chariot he Rode to the Court, and on the fifth day he set a Crown on the Head of *Leontia*, or *Leonto* his Wife, and named her *Augusta* in a great Assembly.

The *Prasini* joyn with him.

He is Crowned.

64. As the Custome was, he must now go to the *Circus* to be present at the publick Shews, and there the *Prasini* and *Veneti* not forgetting their old wont fall a Quarrelling. *Phocas* sends some of his Guard to quiet them, who deal roughly with a Tribune of the *Venetian* Faction; more turbulent it seems than the rest, which his Friends not enduring cryed out Tumultuously to the Tyrant, that he should bethink himself, that *Mauricius* was not yet dead, and they threatned to send for him and make him Umpire in the present Controversie. This startled *Phocas*, and put him into such a fit of Anger and Jealousie, that he resolved, that with the Life of *Mauricius* he would no more be reproached. He caused him therefore to be brought to *Chalcedon*, to the Haven of *Eutropius*, where first he commanded his five Sons to be slain before his Face, with which Spectacle he was no otherwise affected, than that with great Courage and Submission to the Will of God, he said, *Just are thou O Lord, and righteous in all thy Judgments.* And so far was he from any murmuring, or impatience at the sad Estate, wherein he now stood, that when the Nurse hid one of his youngest Sons, that his Family might not altogether perish, and placed one of her own in his stead, the Good man would not suffer this kind Fraud of hers to take Success, but discovered it, and then willingly submitted his own Neck to the Executioner. Their heads were cast on a heap in the Fields near the Tribunal, where they lay till they putrified, and then the Tyrant gave leave they should be buried with their Bodies. Such a lamentable end had *Mauricius* after he had Reigned sixteen years three Months and odd Days; in the Month of *November*, the sixth Indiction, the thirteenth of *Gregory* the *Roman* Bishop, *A.D.* DCII.

The Factions in Tumult threaten *Phocas* to send for *Mauricius*.

Mauricius and his five Sons slain.

65. *Mauricius* being thus dispatched, *Peter* his brother was put to Death. So was *Commentiolus*, with *George* the Son of *Philippicus*, and *Præsentinus* the great Bosom Friend and Councellour of *Peter*. But the Jealousie and Cruelty of the Tyrant were not confined to *Constantinople*, and the places adjacent; there was one yet alive, who for all this might spoil the best of his sport, and hinder him from enjoying the Fruits of his Villanies, whose Title to the Purple was much more ancient than that of his. This was *Theodosius*, whom his Father had sent to beg aid of *Chosroes*, but as Tyrants have long Armes, he reached him e'er he came to the Confines of the Empire, and ordered him to be put to Death, which was Executed at a place called *Leucalla* not far distant from *Nicæa*, where he was surprized. The Youth desired the Favour, that e'er he died he might partake of the Holy Mysteries, which being granted, he took a stone from the Ground and therewith having three times struck his Breast, he prayed and said, *Lord Jesus, thou knowest I never injured any Man, but however deal with me as thou pleasest, and Glorifie thy Power*; which said, his Head was presently cut off, though others reported, that being sent by his Father with Letters to *Chosroes*, he miscarried some other way. However, it happened that trouble arose to the Tyrant from that very thing whereon he founded his greatest Security, for what way soever *Theodosius* miscarried, the incertainty of the manner, brought the matter it self into Suspicion and as is usual in such Cases, those whose Interest it was to have him alive, gave out, that some other Person was killed for him. And though *Phocas* sent according to the Custome to *Chosroes*, to acquaint him with his promotion, and by good Words and fair Pretences, to draw him to an owning, and Patronage of his Cause and Person; yet the Messenger was so unwelcome, (*Cilius* by Name, who had with his own hands murthered *Mauricius*) and much more his Message, that the Barbarian moved with a Sense of Gratitude and Honour, renounced Friendship with the Tyrant, and denounced that War which shortly after involved the Empire in innumerable Miseries.

Peter his Brother and others.

And *Theodosius*, *Mauricius* his Son.

Chosroes denounces War against the Tyrant.

66. But

66. But in the mean time, viz. in the Month of *April*, were the Images of *Phocas* and his Wife, as the manner was, brought to *Rome*, where the People rejoycing in Changes, and incenſed by the illegal and violent Courſes of the late Emperour's Miniſters in *Italy*, received them with lucky Acclamations; and *Gregory* the Biſhop commanded them to be laid up in the Oratory of St. *Cæſarius* the Martyr within the Palace, not the *Laterane*, but another ſtanding betwixt the *Via Appia* and *Lavicana*. This done the Biſhop Writes a Congratulatory Letter to the Tyrant, beginning with "Glory to God on high, who as it is written changeth times, and tranſlates Kingdoms to whom he pleaſeth, by whoſe incomprehenſible Diſpenſation "it comes to paſs, that various are the Conditions of humane Life, and ſometimes "for the Puniſhment of the ſins of many, one Man is raiſed up, through the hard- "neſs of whoſe Heart, the Necks of his Subjects are burthened with the Yoke of "Tribulation, as we, ſaith he, have in our affliction long experienced. But ſome- "times when it pleaſeth our mercifull God, to comfort and refreſh the Hearts of "many that are ſorrowfull, in like manner he promoteth one to the Sovereign "Power, through whoſe Bowels of Mercy he inſuſeth the Grace of his Exul- "tation, or rejoycing in the Hearts of all; by the abundance of which "Exultation, ſaith he, we believe we ſhall ſpeedily be ſtrengthened, who rejoyce "that the Benignity of your Piety, is raiſed to the imperial Sovereignty. Let the "Heavens and Earth rejoyce and all your People hitherto exceedingly afflicted be "Exhilarated by your benign Actions. Then he prays that he may have good "Succeſs againſt his Enemies; that the Commonwealth may enjoy under him hap- "py times, the Depredations even of Peace, which had been made upon various "Pretexts, being now removed: That Deceits and Cheats uſed about Teſtaments, "and violent Exactions of Donations might ceaſe; that every one might have the "Poſſeſſion of his own-well gotten Goods ſecured unto him, and each one enjoy "his Liberty, this being the real difference, that ought to be found betwixt Kings "of other Nations, and *Roman* Emperours, that they are Lords of ſo many Slaves, "and theſe not of ſuch, but of free Perſons. Thus he, or to this purpoſe, word- eth his Letter, which being anſwered by *Phocas*, *Gregory* ſends another, wherein he again rejoyceth, and giveth God thanks that the Yoke of ſadneſs being removed, they had now arrived at the times of Liberty, under this benign and Pious Emperour. Another of the ſame ſtrain he wrote to *Leontia* the like Pious Empreſs with Words, if not Clawing them, yet exceedingly reflecting upon *Mauricius*: But what ſort of Perſons this *Phocas* and *Leontia* were, let us now ſee by particulars, ſo far as in theſe obſcure times we can receive light from the Hiſtorians that are ſtill extant.

Gregory Biſhop of *Rome*, flatters him and his Wife.

Imagines Aug. mitti ſolita fuit in diverſas provincias & ad Principium Anicios atque diſtas ſunt Lauranæ, quæſt Lauream. Greg. lib. 11. Ep. 10. Ind. 6. ep. 28. Vide Bar. & Signonium.

Per Cujus miſericordiæ viſcera in conſpectum meritibus Exultationis ſuæ gratiam infundit de qua Exultationis alius dantia roborari nos citius credimus, qui benignitatem veſtræ pietatis ad Imperiale faſtigium perveniſſe Gaudemus. Latentur Cæli & exultet terra, &c. Interpretis cura eſt ne vertendo difficilia evertat.

Ep. 45. Edit. Rom.

Ep. 46.

Phocas his Character.

67. *Phocas* was a Man of mean Stature, deformed, of a terrible Aſpect, had Red hair, his Eye-brows met, ſhaved his Beard, and had a Scar on his Cheek, which when he was angry grew of a blackiſh Colour. He was given both to Wine and Women, was bloudy and ſowre, fierce in Speech, free from all Compaſſion, furious in his Diſpoſition, and an Heretick. He was not unequally Yoked, having a Wife of the ſame Humour and Inclination, and therefore under them Mankind could not thrive, but was overwhelmed as with a Deluge of Miſeries. For innumerable multitudes both of Men and Beaſts, periſhed partly by Plague, and partly by Famine, and the Winters were ſo ſevere, that the Seas were frozen, and the Fiſh died. He endeavoured to pleaſe the People by celebrating the *Circenſian* Games; but the multitude now in cold Bloud began to think what a Change they had made, and though they had formerly approved the Treaſon, yet now hating the Traitour, they would not be cajolled by him. Having, during the Solemnity of theſe Games, toward the Evening drank abundance of Wine, and delaying to return to the *Circus*, the multitude commanded him to come forth, bidding him riſe up, and when he came not yet at their Call, they cryed out, *Haſt thou again drunk Wine? Haſt thou again loſt thy Senſes?* Hereat he was ſo inraged, that cauſing many to be laid hold on, ſome he diſ-membred, and others he put to Death. But the Rabble caſt Fire into the Caſtle where the Priſoners were kept, whereby in the Tumult they all eſcaped. He to provide againſt all ſeditious Attempts, built an Arcenal near to the Palace of *Magnaura*; and to try his Skill, if by fair means he could get the Love of the People, going as in Triumph to a publick Feaſt, he caſt much Money amongſt them. But he gained nothing.

Cedrenus ad Phoc. Ann. 1.

The People revile him.

68. For ſuch dreadfull Miſeries happened ſhortly after, in the Provinces, as by Sympathy caſt the City into great Tumults and Diſorders. *Choſroes* ſent a great Army to invade the *Roman* Territories, being ſolicited to doe it by *Narſes*; who upon the Murther of *Mauricius* revolted, and ſeizing on *Edeſſa*, ſent to the *Perſian* for

for Succours. *Phocas* hearing of the Invaſion, makes *Domentiolus*, or *Domitius* his Brother, *Magiſter Militum*, and ſends *Germanus* againſt *Narſes*; whereas the *Abares* threatned to renew their Rapines and Devaſtations upon his Subjects, he adds ſomething to the Tribute, formerly paid to *Chaganus*, hoping ſo to quiet him: His great Force there he employs againſt the *Perſian*, but coming to Battel *Germanus* receives a Wound, whereof he dies an eleven days after, and *Leontius* who ſucceeded, having alſo ill Succeſs; *Phocas* was ſo inraged againſt him, that he cauſed him to be led in Chains in an Ignominious manner. Matters thus ill ſucceeding againſt the *Perſians*, when Force would not prevail, *Phocas* betook himſelf to Craft, and left no means unattempted to draw off *Narſes* from his Confederacy, and by many reiterated Promiſes backed with Oaths, perſwaded him at laſt to forſake the Cauſe and Camp of the Barbarians, and to return to his own Countrey. But having got him into his hands without any regard to Oaths or Promiſes, he burnt him alive, to the great diſtaſte, and diſcontent of the *Roman* People, to which he was moſt dear for his many good Services, and to the great Satisfaction of the *Perſians*; who not onely bore him ill Will, for his late forſaking of them, but feared him for his great Abilities in War, with the effects whereof they had ſo ſmarted, that with the Terrour of his Name as a ſufficient Scar-crow, they were uſually wont to fright their Children. The *Perſians* however reſolved to proceed; and this year took in *Daras*, moreover all *Meſopotamia*, and *Syria* they over-ran and waſted, returning home with incredible great Booty.

Choſroes defeateth the *Romans*.

Phocas burns *Narſes* alive.

69. *Phocas* having now poſſeſſed the Throne for the ſpace of four years, thought to eſtabliſh it more by making Alliances with the Nobility. To *Priſcus* a Patritian, and the *Comes Excubitorum*; he gave his Daughter *Domitia* in Marriage, which being ſolemnized in the Palace of *Marina* for the greater Grace, he appointed a Game, or Exerciſe with Horſes to be held. But the ſport was all ſpoiled, and their Mirth ended with Sorrow. For the People it ſeems ſaluting the Bridegroom, and Bride with the Titles of Emperour and Empreſs; the *Demarchi*, of both the *Venetian* and *Praſinian* Factions, placed their Images at the four Columns by order of the *Menſores* (or *Delineatores* as they were called) being thoſe that had the Charge of managing the Solemnity. The *Demarchi* (*Theophanes* and *Pamphilus* by name) he ſends for, and commands them firſt to be ſtripped, and then beheaded. *Priſcus* trembled to think, what a Caſe he was in, and though without any Fault of his, incurred the Diſpleaſure of the Tyrant; who yet pardoned the multitude upon their Petition. But being now put into a fit of Fear and Jealouſie; it happened, that one *Patronia* coming to wait on *Conſtantina* the Relict of the Emperour *Mauricius*, revealed the Intelligence that paſſed betwixt that diſtreſſed Lady and *Germanus*, and what hopes they nouriſhed, that her Son *Theodoſius* was yet living. The Tyrant cauſeth *Conſtantina* to be tortured, who Confeſſeth in her pains, that *Romanus* a Patritian was of the Conſpiracy. *Romanus* by the ſame means was brought to diſcover others; as *Theodorus* Prefect of the Eaſt, who was put to Death, *Helpidius*, who had his Feet firſt cut off, and was afterward burnt alive. *Conſtantina* with her three Daughters, was put to Death in the ſame place, where her Husband had been formerly murthered. *Germanus* alſo, and his Son were ſent after them, together with *John*, *Ziza* a Patritian, *Theodoſius* and ſeveral others.

Miſcellas, lib. 17.

Other Cruelties.

70. Theſe diſcoveries increaſed the Rage and Jealouſie of the Tyrant, to ſuch a Degree that like a Wild Beaſt he raged, and fell upon all that he found in his way. Many he caſt into Priſon, upon ſlight and idle Suſpicions, and ſo crowded the Gaol (which having been made rather too little in *Conſtantine's* time, had never ſince been inlarged) that for want of room, with the Noiſomeneſs of the place ſeveral of them periſhed, which ſo affected a certain noble Matron, that ſhe gave freely an Houſe of hers adjoyning for inlarging the Priſon. While *Phocas* thus rageth at home againſt the Nobility, *Choſroes* in the Eaſt paſſeth *Euphrates*, and makes Havock of the poor People in thoſe Provinces, waſting without controll'all *Syria*, *Paleſtine* and *Phœnicia*. And as well the Rage of the one, as Fury of the other continued the year following. For the *Perſian* Army, if we credit *Theophanes*, though *Cedrenus* placeth it in the year following, made another Invaſion, and defeating ſuch Forces as were ſent to oppoſe them, paſſed through *Galatia* and *Paphlagonia*, as far as *Chalcedon*, doing all things that Enemies are wont to doe in ſuch Caſes. *Phocas* in the mean time, as if he could ſtop the flux of Bloud in the Provinces, by a kind of Revulſion, and opening the Veins of thoſe about *Conſtantinople*, proceeds in his Murthers of the Nobility, a great Mortality at the ſame time Conſpiring with him, and *Choſroes* together, to rid the World of poor Mortals. After the ſlaughter of ſuch as were related to *Mauricius*; he

Choſroes waſtes the Eaſt.

Glica in Annal.

66. But in the mean time, viz. in the Month of *April*, were the Images of *Phocas* and his Wife, as the manner was, brought to *Rome*, where the People rejoycing in Changes, and incenſed by the illegal and violent Courſes of the late Emperour's Miniſters in *Italy*, received them with lucky Acclamations; and *Gregory* the Biſhop commanded them to be laid up in the Oratory of St. *Cæſarius* the Martyr within the Palace, not the *Laterane*, but another ſtanding betwixt the *Via Appia* and *Latina*. This done the Biſhop Writes a Congratulatory Letter to the Tyrant, beginning with "Glory to God on high, who as it is written changeth times, and tranſlates Kingdoms to whom he pleaſeth, by whoſe incomprehenſible Diſpenſation "it comes to paſs, that various are the Conditions of humane Life, and ſometimes "for the Puniſhment of the ſins of many, one Man is raiſed up, through the hard- "neſs of whoſe Heart, the Necks of his Subjects are burthened with the Yoke of "Tribulation, as we, ſaith he, have in our affliction long experienced. But ſome- "times when it pleaſeth our mercifull God, to comfort and refreſh the Hearts of "many that are ſorrowfull, in like manner he promoteth one to the Sovereign "Power, through whoſe Bowels of Mercy he infuſeth the Grace of his Exul- "tation, or rejoycing in the Hearts of all; by the abundance of which "Exultation, ſaith he, we believe we ſhall ſpeedily be ſtrengthened, who rejoyce "that the Benignity of your Piety, is raiſed to the imperial Sovereignty. Let the "Heavens and Earth rejoyce and all your People hitherto exceedingly afflicted be "Exhilarated by your benign Actions. Then he prays that he may have good "Succeſs againſt his Enemies; that the Commonwealth may enjoy under him hap- "py times, the Depredations even of Peace, which had been made upon various "Pretexts, being now removed: That Deceits and Cheats uſed about Teſtaments, "and violent Exactions of Donations might ceaſe; that every one might have the "Poſſeſſion of his own-well gotten Goods ſecured unto him, and each one enjoy "his Liberty, this being the real difference, that ought to be found betwixt Kings "of other Nations, and *Roman* Emperours, that they are Lords of ſo many Slaves, "and theſe not of ſuch, but of free Perſons. Thus he, or to this purpoſe, word- eth his Letter, which being anſwered by *Phocas*, *Gregory* ſends another, wherein he again rejoyceth, and giveth God thanks that the Yoke of ſadneſs being removed, they had now arrived at the times of Liberty, under this benign and Pious Emperour. Another of the ſame ſtrain he wrote to *Leontia* the like Pious Empreſs with Words, if not Clawing them, yet exceedingly reflecting upon *Mauricius*: But what ſort of Perſons this *Phocas* and *Leontia* were, let us now ſee by particulars, ſo far as in theſe obſcure times we can receive light from the Hiſtorians that are ſtill extant.

Gregory Biſhop of *Rome*, flatters him and his Wife.

Phocas his Character.

67. *Phocas* was a Man of mean Stature, deformed, of a terrible Aſpect, had Red hair, his Eye-brows met, ſhaved his Beard, and had a Scar on his Cheek, which when he was angry grew of a blackiſh Colour. He was given both to Wine and Women, was bloudy and ſowre, fierce in Speech, free from all Compaſſion, furious in his Diſpoſition, and an Heretick. He was not unequally Yoked, having a Wife of the ſame Humour and Inclination, and therefore under them Mankind could not thrive, but was overwhelmed as with a Deluge of Miſeries. For innumerable multitudes both of Men and Beaſts, periſhed partly by Plague, and partly by Famine, and the Winters were ſo ſevere, that the Seas were frozen, and the Fiſh died. He endeavoured to pleaſe the People by celebrating the *Circenſian* Games; but the multitude now in cold Bloud began to think what a Change they had made, and though they had formerly approved the Treaſon, yet now hating the Traitour, they would not be cajolled by him. Having, during the Solemnity of theſe Games, toward the Evening drank abundance of Wine, and delaying to return to the *Circus*, the multitude commanded him to come forth, bidding him riſe up, and when he came not yet at their Call, they cryed out, *Haſt thou again drunk Wine? Haſt thou again loſt thy Senſes?* Hereat he was ſo inraged, that cauſing many to be laid hold on, ſome he diſmembred, and others he put to Death. But the Rabble caſt Fire into the Caſtle where the Priſoners were kept, whereby in the Tumult they all eſcaped. He to provide againſt all ſeditious Attempts, built an Arcenal near to the Palace of *Magnaura*; and to try his Skill, if by fair means he could get the Love of the People, going as in Triumph to a publick Feaſt, he caſt much Money amongſt them. But he gained nothing.

The People revile him.

68. For ſuch dreadfull Miſeries happened ſhortly after, in the Provinces, as by Sympathy caſt the City into great Tumults and Diſorders. *Choſroes* ſent a great Army to invade the *Roman* Territories, being ſolicited to doe it by *Narſes*; who upon the Murther of *Mauricius* revolted, and ſeizing on *Edeſſa*, ſent to the *Perſian* for

for Succours. *Phocas* hearing of the Invaſion, makes *Domentiolus*, or *Domitius* his Brother, *Magiſter Militum*, and ſends *Germanus* againſt *Narſes*; whereas the *Abares* threatned to renew their Rapines and Devaſtations upon his Subjects, he adds ſomething to the Tribute, formerly paid to *Chaganus*, hoping ſo to quiet him: His great Force there he employs againſt the *Perſian*, but coming to Battel *Germanus* receives a Wound, whereof he dies an eleven days after, and *Leontius* who ſucceeded, having alſo ill Succeſs; *Phocas* was ſo inraged againſt him, that he cauſed him to be led in Chains in an Ignominious manner. Matters thus ill ſucceeding againſt the *Perſians*, when Force would not prevail, *Phocas* betook himſelf to Craft, and left no means unattempted to draw off *Narſes* from his Confederacy, and by many reiterated Promiſes backed with Oaths, perſwaded him at laſt to forſake the Cauſe and Camp of the Barbarians, and to return to his own Countrey. But having got him into his hands without any regard to Oaths or Promiſes, he burnt him alive, to the great diſtaſte, and diſcontent of the *Roman* People, to which he was moſt dear for his many good Services, and to the great Satisfaction of the *Perſian*; who not onely bore him ill Will, for his late forſaking of them, but feared him for his great Abilities in War, with the effects whereof they had ſo ſmarted, that with the Terrour of his Name as a ſufficient Scar-crow, they were uſually wont to fright their Children. The *Perſians* however reſolved to proceed; and this year took in *Daras*, moreover all *Meſopotamia*, and *Syria* they over-ran and waſted, returning home with incredible great Booty.

Choſroes defeateth the *Romans*.

Phocas burns *Narſes* alive.

69. *Phocas* having now poſſeſſed the Throne for the ſpace of four years, thought to eſtabliſh it more by making Alliances with the Nobility. To *Priſcus* a Patritian, and the *Comes Excubitorum*; he gave his Daughter *Domitia* in Marriage, which being ſolemnized in the Palace of *Marina* for the greater Grace, he appointed a Game, or Exerciſe with Horſes to be held. But the ſport was all ſpoiled, and their Mirth ended with Sorrow. For the People it ſeems ſaluting the Bridegroom, and Bride with the Titles of Emperour and Empreſs; the *Demarchi*, of both the *Venetian* and *Praſinian* Factions, placed their Images at the four Columns by order of the *Menſores* (or *Delineatores* as they were called) being thoſe that had the Charge of managing the Solemnity. The *Demarchi* (*Theophanes* and *Pamphilus* by name) he ſends for, and commands them firſt to be ſtripped, and then beheaded. *Priſcus* trembled to think, what a Caſe he was in, and though without any Fault of his, incurred the Diſpleaſure of the Tyrant; who yet pardoned the multitude upon their Petition. But being now put into a fit of Fear and Jealouſie; it happened, that one *Patronia* coming to wait on *Conſtantina* the Relict of the Emperour *Mauricius*, revealed the Intelligence that paſſed betwixt that diſtreſſed Lady and *Germanus*, and what hopes they nouriſhed, that her Son *Theodoſius* was yet living. The Tyrant cauſeth *Conſtantina* to be tortured, who Confeſſeth in her pains, that *Romanus* a Patritian was of the Conſpiracy. *Romanus* by the ſame means was brought to diſcover others; as *Theodorus* Prefect of the Eaſt, who was put to Death, *Helpidius*, who had his Feet firſt cut off, and was afterward burnt alive. *Conſtantina* with her three Daughters, was put to Death in the ſame place, where her Husband had been formerly murthered. *Germanus* alſo, and his Son were ſent after them, together with *John*, *Ziza* a Patritian, *Theodoſius* and ſeveral others.

Miſcella, lib. 17.

Other Cruelties.

Cedrenus ad Phoc. Ann. 1.

70. Theſe diſcoveries increaſed the Rage and Jealouſie of the Tyrant, to ſuch a Degree that like a Wild Beaſt he raged, and fell upon all that he found in his way. Many he caſt into Priſon, upon ſlight and idle Suſpicions, and ſo crowded the Gaol (which having been made rather too little in *Conſtantine's* time, had never ſince been inlarged) that for want of room, with the Noiſomeneſs of the place ſeveral of them periſhed, which ſo affected a certain noble Matron, that ſhe gave freely an Houſe of hers adjoyning for inlarging the Priſon. While *Phocas* thus rageth at home againſt the Nobility, *Choſroes* in the Eaſt paſſeth *Euphrates*, and makes Havock of the poor People in thoſe Provinces, waſting without controll all *Syria*, *Paleſtine* and *Phœnicia*. And as well the Rage of the one, as Fury of the other continued the year following. For the *Perſian* Army, if we credit *Theophanes*, though *Cedrenus* placeth it in the year following, made another Invaſion, and defeating ſuch Forces as were ſent to oppoſe them, paſſed through *Galatia* and *Paphlagonia*, as far as *Chalcedon*, doing all things that Enemies are wont to doe in ſuch Caſes. *Phocas* in the mean time, as if he could ſtop the flux of Bloud in the Provinces, by a kind of Revulſion, and opening the Veins of thoſe about *Conſtantinople*, proceeds in his Murthers of the Nobility, a great Mortality at the ſame time Conſpiring with him, and *Choſroes* together, to rid the World of poor Mortals. After the ſlaughter of ſuch as were related to *Mauricius*; he

Choſroes waſtes the East.

Glica in Annal.

Priscus the Son-in-Law of *Phocas* Conspires against him.

he put to Death *Commentiolus* the Governour of *Thrace*, and many others, and with this constant course of Cruelty so wearied *Priscus* his Son-in-Law, that he resolved to wave all the interest he had in him, with all his hopes and pretensions, and hearing that in *Africk* a Conspiracy was hatching, sent to *Heraclius* the Patritian, who now governed that Province, desiring him to dispatch away with all speed his Son *Heraclius*, and *Nicetas* the Son of *Gregoras* his Lieutenant, with a sufficient Army against the Tyrant.

71. The Tyrant ignorant of these Transactions to pursue his own maxims, makes choice of such as he thought as cruel as himself for his prime Ministers. For this purpose he creates one *Bonosus Comes* of the East, a furious and rugged man, whom he sends to restrain the violence of the *Persians*, but as he was on his way, he was recalled to extinguish the flames of a Rebellion, which now broke out at *Antioch*, where the Jews rose up against the Christians. They slew *Anastasius* the Patriarch, which done, they cut off his privy members, and put them into his Mouth, and then dragged his dead Body through the Streets. They killed and burnt many of the Citizens, and proceeded still in their fury till the news being brought to *Phocas*, he ordered *Bonosus* and *Chotis* the *Magister Militum* to chastise them, which they did to purpose, being not able to prevail by fair means, putting many of them to the Sword, and dismembring many whom they then banished the City. Thus was this sedition suppressed at *Antioch*, about the time that disorders of greater consequence happened at *Constantinople*, where the Heartburnings of the People against the Tyrant though for some time smothered, yet so increased as to break out into a greater flame. As he was present at the Shews in the *Circus*, the *Prasini* could not hold but upbraided him with his Drunkenness, telling him that he had again drunk in *Gabasta*, which was a very large sort of Cup, and that he had again lost his sense and understanding, In great wrath he caused *Cosmas* an Officer to apprehend many of them, of whom some he beheaded, others were dismembred, and some put into sacks and thrown into the Sea. The *Prasini* hereat inraged, as much as he, gathered together, set fire to the *Prætorium*, Court, and several Offices with the Prisons, out of which they let go such as lay in Chains. The Tyrant hereupon in great wrath, caused the *Prasini* to be disarmed.

The Jews rise against the Christians at *Antioch*.

Chastized.

Chotim ipsum Copanam appel. lat Cedrenus.

The *Prasini* again revile *Phocas*.

He disarmes them.

72. This year, which was the seventh of his Reign, happened so sharp a Winter, that the Seas were frozen about *Constantinople*, and now the Tyrant's own Court began to wax too hot for him, where every day Conspiracies being hatched, for ridding the World of so great a Plague. *Theodorus* a *Cappadocian*, the *Præfectus Prætorio*, *Helpidius* the Captain of his Artillery, and several others devised how they might kill him in the *Hippodrome*, but the Conspiracy was revealed by *Anastasius* the *Comes Largitionum*, and when upon examination it was found, that they had resolved to make *Theodorus* Emperour, he put them all to Death, *Anastasius* as well as others. But things could not long stand in this Condition, though he escaped this danger, yet being now set against all men, and all men against him, the controversie must shortly be decided. *Heraclius* is saluted Emperour in *Africk*, and comes with a great Fleet and Army raised in these Southern parts toward *Constantinople*, while *Nicetas* marches with a great Land Army by the way of *Alexandria* and *Pentapolis*. *Heraclius* had made a contract with *Eudocia* the Daughter of *Rogatus* an *African*, and she was now at *Constantinople* with *Epiphania* his Mother, which being told to *Phocas*, he caused them to be apprehended, and shut up in a Monastery. But *Heraclius* holds on his course and comes to *Abidus*, which being perceived by *Domentiolus* the Brother of the Tyrant, who had appointed him to keep the long Walls, he fled with the News of his approach to *Constantinople*. Having at *Abidus* kindly received such Noblemen as had been exiled by *Phocas*, *Heraclius* pursued his Voyage to *Heraclea* and so to *Constantinople*, where in the Haven of *Sophia*, he ingaged in Battel with the Tyrant and had the better. *Phocas* being defeated fled to the Court, which being observed by one *Photinus*, whose Wife he had Ravished, with a party of Souldiers he broke in to him, drag'd him ignominiously from his Throne, pull'd the Imperial Robe over his Ears, and putting on him a black Vest, led him in Fetters to *Heraclius*, who after he had asked him, If he had not bravely Governed, and he had answered, It was his part to doe better, commanded first his Hands and Feet, then his Arms and privy Members to be cut off, and at last his Head. What was left of his Trunck, the Souldiers Burnt in the *Forum of the Oxe*, a Market place so called, and this end had Baseness and Cruelty, after they had domineered something above seven years, in the fourth year of *Boniface* the Fourth, the *Roman* Bishop, the thirteenth Indiction, *A. D.* DCX.

Punisheth a Conspiracy.

Heraclius comes out of *Africk* against him.

Phocas put to Death.

Lutum Sergeist macerature.

Heraclius Succeeds.

His Character.

73. *Zonaras* writes that the Brothers and Relations of *Phocas* were also put to Death, and that *Heraclius* being Crowned by *Sergius* the Patriarch the same day, set the Crown on the Head of *Fabia*, whose name was changed into *Eudocia*, and that he consummated the Marriage formerly contracted. *Heraclius* was as to his Countrey a *Cappadocian*, descended of a Noble and opulent Family, active and valiant, of a middle Stature, large Breasted, had sparkling and grayish Eyes, a white Complexion, yellow Hair, and a large broad Beard, but immediately upon his promotion, he both cut his Hair and shaved his Beard, as was the custome of Emperours. This year had been very happy in such a change, but that the *Persians* turned the Joy thence conceived by those of the Eastern parts into mourning, for invading *Syria*, they took *Apamea* and *Edessa*, and came as far as *Antioch*; the *Romans* opposing them with so ill success, that in a manner the whole Party perished in the Attempt, very few escaping to carry the News of the Defeat to their Friends and Relations. The *Scythians* also and *Abares* invaded *Europe*, which things made the new Emperour very solicitous what to doe. For the Legions were quite wasted and gone, very few being found in the Muster Rolls, insomuch that of those many thousands which Rebelled against that good Prince *Mauricius*, and saluted *Phocas* their Emperour, by a remarkable Providence, no more than two Souldiers were remaining. But *Heraclius* making as good preparations as the weak Estate of the Empire would permit, made *Crispus* General, and sent him into *Cappadocia*, which the following year the *Persians* invaded, as well as *Armenia*, and after great waste and destruction of all things, got *Cæsarea* into their Hands, which done, they roved up and down at their pleasure; the *Roman* Forces being not able to make Head against them, at least not any considerable opposition. While these things ministred matter of sorrow at *Constantinople*, some diversion was given to the Court by the Birth of a young Prince, *Heraclius* the younger, who was afterward called *Constantine* Junior, of which the Empress was brought to Bed on the third of *May*. She had before this brought a Daughter named *Epiphania*, and not long after the Birth of her Son Died, an unluckly accident happening at her Funeral. As she was carried with Royal Pomp through the *Forum*, a Girl of some Barbarous Nation unwittingly and by accident spate upon the Herse, for which the poor Creature was laid hold on and cruelly Burnt, making thus a lamentable parentation to the Deceased Empress.

The *Persians* invade the Empire with others.

Zonaras.

The birth of a young Prince, and the Death of his Mother.

74. This act of Cruelty was not left unrevenged in the East, where one mischief still followed at the heels of another, though the *Persians*, glutted with bloud and burthened with booty, thought fit to give rest both to themselves and the places subject to their Invasions. But the *Saracens* as it were to play their Game, while they were weary and looked on, made Incursions into *Syria*, which they miserably wasted with Fire and Sword. *Heraclius* to secure in his Family the succession of a tottering and uncertain Empire, creates his Daughter *Augusta* or Empress, and within a year following gives a Diadem to *Heraclius* his Son, whom he Sirnamed *Constantine*, and caused to be Crowned in like manner by *Sergius* the Patriarch. Having thus given them a Title, he resolved to uphold it as well as he could, and made as good preparations as he might for an expedition against the *Persians*. But they prevented him, being now fresh and fit for new Slaughters, for they took *Damascus*, and carried away captive a great multitude of People. Hereupon he sends to *Chosroes* to perswade him to admit of moderate Councils, to put a stop to that constant issue of bloud which he made, and satisfie himself with an Annual Tribute. But he dismissed the Ambassadours with a denial, without any reasons given for his Resolution, hoping now to make himself Master of the *Roman* Empire. He sent a great Army into *Syria* under the command of *Rasmizsus*, which having seized on the Passages of *Jordan*, wasted *Palestine* and took the City of *Jerusalem*. Here they committed such outrageous acts, as the horrour of them could not be expressed. About ninety thousand Christians they took and sold many to the *Jews*, who out of their inveterate hatred to their Religion, refused to treat them as by the universal consent of Nations, Captives were wont to be dealt with, but inventing all sorts of Torments, put them to most cruel Deaths. *Zacharias* the Patriarch was carried away into *Persia*, with some wood it's said belonging to the Cross of Christ, and vast Plunder. And this is all the account we have concerning this lamentable accident, Historians having given us but a touch of that which deserved more largely to have been related.

The *Saracens* invade *Syria*.

Heraclius endeavours to establish his Family.

Chosroes hopes to make himself Master of the Empire.

75. In the mean time *Heraclius* being now a Widower, Marries *Martina* his own Neice by his Brother, and causeth her to be Crowned by *Sergius*, for which incestuous Act he is much blamed by Writers, and severely punished as

Heraclius marries his own Neice.

they observe. She brings him a Son who is also called *Constantine*, at such time as the *Persians* overrun all *Ægypt* and *Africk* as far as *Carthage*, which having attempted to no purpose with their usual Booty and innumerable Prisoners they return home. At this time most lamentable was the condition of such as fled from the danger to *Alexandria*, where there were no provisions for so great a multitude, neither had the *Nile* overflowed according to the custome; but by the care and liberality of *John* the Patriarch they were much relieved. Certainly this was a miserable Age, and the condition of the *Roman* Empire was most calamitous, the Barbarous Nations roving up and down at their pleasure, and *Heraclius* seeming so incapable of any effectual resistence, that he appeared as a man utterly dejected and out of hope. This kindled the heat of Ambition in some mens Breasts, who seeing him so unable to defend the *Roman* Dominions, and perceiving all was in danger, resolved to get a share to themselves, rather than suffer all to be lost to the Barbarous Nations. In *Italy*, *John*, the Governour of the City of *Naples*, rebells and kills *John* the Exarch of *Ravenna*, into whose place was sent from *Constantinople* when his Death was there heard of, one *Eleutherius* who killed the Tyrant, and restored Peace to those Quarters about *Ravenna*. But being warm in his Seat, he began out of such considerations as we lately mentioned, to entertain ambitious thoughts of setting up for himself, having the greater Incouragement, because the Territories subject to his command lay at such a distance from the Emperour, who not being able to defend the Eastern Provinces, how could it be expected that he should protect *Italy*, into the Bowels of which the *Lombards* had also insinuated themselves? while he contrives in his Head, by what means he may best bring about his purpose, *Italy*, as seldom having time to breathe betwixt one Calamity and another, is sorely shaken with Earthquakes, and afflicted with a dismal Plague of Leprosie.

The *Persians* overrun all *Ægypt* and *Africk*.

76. *Heraclius* in the mean time, as if he had been seized with some lethargick Indisposition, and could fright the Enemies of the Empire by glorious names, neglects his preparations for War, and instead of triumphs of the Field, makes choice of Domestick shews and solemnities. All his endeavours he bends to the promoting of his Children, in the seventh year of his Reign, conferring the Honour of Consul on *Heraclius Constantinus* his eldest Son, who bestowed on *Constantine* the younger, his Brother by *Martina*, the Title of *Cæsar*. Desirous to be at peace, he sends now the second time to *Chosroes* offering to purchase it though upon very hard terms, but the Barbarian the more he submitted the more insulted, and utterly forgetting as well the good offices he had received from the *Romans* in his late condition, as the vicissitude of humane Life, arose to that height of Arrogancy, as to require the Emperour and his Subjects, if they would be at quiet to renounce their Crucified Saviour, and with him adore the Sun for their God. Yet this Embassy or some other motive had this effect, that the *Persians* stirred not the following year, which, notwithstanding was full of trouble, or fuller than the preceding. For the *Avares* now again invaded *Thrace*, whom to divert or send back, *Heraclius* dispatched away his Ambassadours. *Chaganus* their Leader promises Peace, whereupon the Emperour with all his train, goes and meets him as far as the long Walls, and with gentle words labours to perswade him to continue in so good a mind, when suddenly the Barbarian contemning the Agreement, and the Oaths wherewith he had sealed them, falls upon *Heraclius* who escaping narrowly to *Constantinople*, lost all his Baggage which he was forced to leave behind with some of his men. *Chaganus* having under shew of Peace and Amity, taken and plundered many Towns in *Thrace*, and inriched himself and followers by such perfidious practices returned home.

The *Persian* wonderfully insolent.

Vide Cedrenum ad Ann. 9. Heraclii.

The King of the *Avares* perfidious.

77. The year following, the *Persians* knowing how easie a Game they had to play, for their exercise and diversion as well as inrichment, made another Invasion and took *Ancyra* a City of *Galatia*. He must have been prodigiously stupid, whom so many affronts could not move to Indignation, excessively negligent and bad natured, whom so many Cries and Lamentations of multitudes spoiled of their Friends and Goods, and others led into Captivity, could not affect, and poor spirited above example, that could hear every day of this Town lost, and the other Province wasted without being exceedingly concerned, and in pain, till an effectual course could be taken, both for repelling the Injury, and prevention of the like for the time to come. Whatever was the matter that *Heraclius* hitherto had seemed to be asleep, yet now he rouzed himself and his Animosity and Resolution, though hard to be raised, yet now raised, gave hopes with them that they would not easily be laid down. He resolves to recall if possible, the ancient Fortune of the *Romans*,

Heraclius resolves to be active.

Romans, to restore their Valour and Conduct, and to make such an expedition into *Persia*, as might not onely secure the Provinces, but recover the Reputation of the Empire. But it's ill fighting with one Enemy, when a Man has another at his Back, and ingage with two, or more, at the same time. He endeavours therefore to take off *Chajanus*, and if not gain his Heart, yet to tie his Hands, that he might stand neuter, and doe him no hurt at home, whilst abroad he provided for the security of himself and Subjects. He sends once again to him, and having gently reprehended him for his late unkind dealing, once more exhorts him to embrace Peace, and a good understanding with him his Neighbour. The Barbarian promises to alter his course, and now to observe the Peace inviolably.

The King of the *Abares* promiseth Peace.

78. Animated by this Report made by his Ambassadours, and now, as he thought, secure of the *Abares*, he buckled himself to his designed Expedition with all Alacrity. His Treasury was so empty that he was forced to borrow Silver and Gold of the Churches, which he stamped into Money. He hired the Turks, and other Barbarous Nations, to follow him into *Persia*, and in his way made such levies as formed up a new Army. At *Constantinople* he left his Son to command in his absence, assisted by *Sergius* the Patriarch, and *Bonus* a Patritian, a Man of great Wisedom and Experience. *Chajanus* by Letters he still exhorted to keep his Word and Faith, so religiously given, and the next Evening, after the solemnity of *Easter* was over, set forward for *Persia*, training his Men as he marched, and disciplining such Troops as were raw and unexperienced, being newly raised. In the mean time, while he prepares for his Journey, *Saes*, the *Persian* General, sent by *Chosroes*, wastes the *East* without controll, and coming even as far as *Chalcedon*, there stays for some time, and invites *Heraclius*, under pretext of a Treaty of Peace, to give him a meeting. The Emperour met with him according to his desire, and trusting too much to his flattering Language, sent seventy of his Nobles with him on an Embassy to *Chosroes*, whom the perfidious wretch carried bound with great contumely into *Persia*, but there being arrived, had his skin pulled over his Ears, for having seen *Heraclius*, and not brought him away Prisoner, and the *Roman* Ambassadours were cast into Prison, and severely handled. *Chosroes* after this sent another Captain against the *Romans*, called *Sarbaras*, who entring *Asia* with a vast number of Men, did answerable mischiefs in the Provinces. But *Heraclius* now having composed the differences risen amongst his Souldiers, and animated them with courage and confidence against his Enemies, pursued his March, and came to the confines of *Armenia*. Here he understands he must fight for his passage, a Body of *Persians* being ready to give him a stop, but there was not much need of troubling himself, some of his Vantguards easily defeating this Party, of which they brought the Captain Prisoner to his Presence. Winter now drawing on, he held on the way toward *Pontus*, as if he would there take up his Winter Quarters, and the *Persians* imagining no less, he surprised them, and fell into their Territories.

Heraclius cheated by the *Persian* General.

79. One of their Commanders had already entred *Cilicia*, to divert him from his designed Invasion, but now perceiving how the case was altered, he retreated to defend his own Countrey, and followed *Heraclius* in the rere; yet did him little or no prejudice, though he seized on the Mountains, and the most advantageous places, still coming off with loss and Infamy. At length other forces drew up, and then they came to a pitcht battel, wherein the Courage and Alacrity of *Heraclius* so animated his Men, that they obtained a notable Victory over their formerly insulting Enemies, and let them see that Fortune had not altogether addicted her self to them and their Cause. This done, the Emperour drew down his Forces into *Armenia* to Winter, and he himself returned to *Constantinople*, whence he was constrained, after no very long stay, to return again into the East. For *Chosroes* sent *Sarnabazas*, or *Sarmanazaris*, to waste the *Roman* Provinces, as formerly, and being again moved to accept of Peace, and compose the differences, for the ease and security of the People for the time to come, he refused what was offered, and slighted the Message. *Heraclius* therefore sees he must again invade *Persia*, which he did toward the latter end of *April*, which *Chosroes* understanding, recalls *Sarnabazas*, and making greater Levies, joins him and *Sainus*, or *Sathis*, in command, with orders to find out and ingage the Emperour. *Heraclius* pursues his March, and having by Arguments, drawn from religious considerations, much elevated the courage of his Men, pierced into the inner *Persia*, where perceiving that the King himself lay at a place called *Gazacum*, (or *Gaza-Cotis*) with forty thousand stout and courageous Souldiers, made haste to surprize him. He sent some *Saracens* before, to espie and relate how this might best be effected, who fell upon the scouts of *Chosroes*,

Heraclius defeats the *Persians*.

and killing ſome of them, brought others to the Emperour; but ſome eſcaped, and carried news of *Heraclius* his approach, with which the King was amazed, and fled away as faſt as his Horſe could carry him.

80. *Heraclius* ſtill purſues and clears all before him, eaſily conquering whatever oppoſition was made, and takes the City of *Gazacum*, where was the Temple of the Sun, the Treaſure of *Cræſus*, King of *Lydia*, and the Impoſture of Coals.

He takes and razeth *Gazacum*.

Entring the place, he found therein *Choſroes*, ſo repreſented, as if he ſate in Heaven, with the Sun, Moon and Stars about him, which he worſhipped as Gods; Angels which bore Sceptres encircling him. There were alſo Machines to be ſeen, by which he could imitate Rain, and counterfeit Thunder, all which, together with the Temple, and the whole City, the Emperour burnt to Aſhes, and purſued the King to *Thebatman*, (where *Theophanes* placeth the Temple, and the other ſu-

Cedrenus.

Vide Bar.

perſtitious things now mentioned) and ſo as far as to the Straits of *Media*, deſtroying many Towns, and waſting all places through which he paſſed. But now he muſt think of Winter, which drew nigh, and his Souldiers muſt be provided for. Three days he ſet apart to implore the Counſel and Direction of Almighty God, and opening the Goſpels, as the manner was, he thought it was injoined him to winter in *Albania*. In his retreat with much booty he was in diſadvantageous places way-layed, and galled ſometimes by the Enemy but ſtill came off with the better. He was moſt diſtreſſed with Froſt, and hard weather, which moved him to ſuch compaſſion toward his Priſoners, of which it's reported he had no fewer, than fifty thouſand, that he ſet them all at liberty, which ſo affected them, that weeping for joy, they prayed he might not be onely theirs, but the Deliverer of all *Perſia* from the Deſtroyer of the World, the bloudy *Choſroes*.

Peirceth through *Perſia*.

81. For the year following, which was the fourteenth of the Reign of *Heraclius*, *Choſroes* made one *Sarablacas* (or *Sarablancas*) and *Sarbazanes* his Generals, ordering them with joint force to ſet upon the Emperour, who with ſuch ſucceſs as could not be paralleld, and indeed prodigious, if the Fortune of his Predeceſſours, in reference to the Crown of *Perſia*, be conſidered, had born the *Roman* Eagle diſplayed throughout his Dominions. To *Sarablacas* he delivered the Flower of his Army, called *Choſroites*, and *Perozites*, and ſent him againſt the Emperour into *Albania*, who was no whit diſcouraged at it, but deſired to fight him e'er *Sarbanazas* could join with him. But *Sarablacas* durſt not fight, but ſeized on ſuch places as were convenient to inſeſt him as he paſſed into *Perſia*. And when Spring came on, and he could get Proviſions for his Army, away the Emperour marched, but his Men, weary with Travel, and fearfull out of the apprehenſion they had of the difficulty of the Enterprize, began to mutiny, the *Lazians* and *Abaſgians* eſpecially, who refuſed to march any farther. But as here they made delays, and quarrelled with the tediouſneſs of their Journey, *Sarbazanes* came up, and was almoſt ready to join with *Sarablacas*, which convinced the *Roman* Souldiers of their folly, and how by their delay they were like to draw at once two Enemies upon their backs in the room of one, they come therefore, and with Tears beg pardon of the Emperour, caſting themſelves at his Feet, and deſiring that they might be led againſt the Enemy, leſt their delay, joined with their deſerts, ſhould bring them to moſt certain Ruine. It hapned however very well, that *Sarbazanes* purſuing his orders, would not venture to ingage, till he could join his Troops with thoſe of *Sarablancas*, whom *Heraclius*, having incouraged his Men, indeavoured by all means to fight, but could not provoke him to a Battel, and therefore leaving both theſe Captains, he led on after *Choſroes*. Now do two *Romans* run away to the *Perſians*, and perſuade them, that the cauſe of the haſte made by *Heraclius*, was mere fear he had of ingaging, and at the ſame time comes news, that *Sais*, another of the *Perſian* Captains, was at hand with a very conſiderable force.

Choſroes maketh two Generals.

82. Hereupon the other two Captains reſolve to ingage the *Romans*, leſt a Victory to them undoubted ſhould be taken out of their hands. *Heraclius*, when he perceived them incamped near to him, and that early the next morning they intended to fight, removed farther in the night, till he came to a place very convenient for him to ingage on, which receſs of his, truſting to the ſtory of the Fugitives, they counted flight, and fell tumultuouſly upon him, as one running away, and this miſtake of theirs he managed to ſuch advantage, that he defeated them, killing many, and amongſt the reſt *Sarablacas*. Yet notwithſtanding, the *Perſians*, by the coming of *Sais*, were incouraged, who joining with *Sarbanazes*; rallied the Troops lately diſperſed, and ſtruck no ſmall terrour into the *Romans*, whom they followed, marching through difficult, and almoſt unpaſſable, ways, into the Territories of the *Hunnes*. Now the *Lazians* and *Abaſgians*, out of cowardly fear

Heraclius defeats them.

fear deſerted the *Romans*, and returned home, which once known, the Enemy with more courage and greater expedition purſued them, and it put *Heraclius* to ſome ſtraits; but by Arguments drawn from Religion he again erected the dejected Spirits of his Men, putting them in mind, that though they ſhould endure the utmoſt, and undergo Death it ſelf, their Death would be the Death of Martyrs, and in regard they fought for the Reputation of their Faith, the ſafety of the Empire, and the preſervation of their Brethren, as ſuch they would be admired and honoured by all poſterity. Having by theſe, and ſuch like words, brought them into the ſame good humour as formerly, with great alacrity he put them into the order of battel, as alſo did the *Perſian* Captains their Forces; yet in Battalia both Armies continued, without ſtriking one ſtroke, from morning till night, which being come, *Heraclius* removed, and purſued his Voyage, having the Enemy at his heels, who, to prevent and encompaſs him, went ſomething out of their way, and entangled themſelves in the Fens and Marſhes. By this means he got a ſafe and a quicker paſſage into *Perſarmenia*, into which Countrey the *Perſians* ſtill purſued him, with this comfort, that there they could recruit themſelves with additional Forces, and that, as they imagined, the *Romans* fled in great anxiety and fear.

83. Yet Winter coming on, they reſolved, after a fruitleſs purſuit, to return home, which being known to *Heraclius*, he purpoſed in the dead time of the night to fall upon them. He ſent ſome ſelect parties to ſtorm the Caſtle, to the defence of which, upon the Alarm, they came in confuſedly, but all that came were cut off, ſcarcely one remaining to carry the tidings. *Sarbanazas* himſelf, naked as he was, leapt upon his Horſe, and fled with full ſpeed, leaving many Officers and Ladies, and indeed the Flower of the *Perſian* Nobility, in the place, who got up to the tops of the Houſes, and there would have fortified themſelves, but he fetched them down, ſetting fire to the Buildings, and ſome he ſlew, others he burnt, and many he took, very few eſcaping his Hands, that had accompanied *Sarbanazas*, whoſe Arms were all found and taken, as his golden Buckler, his Sword, and Spear, his Girdle, ſet richly with Gems, and his neat and ſpruce Shoes. After this the Emperour ſcoured the Countrey of all Straglers, killing ſome, and taking others, which done, he reſolved here to winter. The Year following he took the way that led by Mount *Taurus* into *Syria*, and after vaſt pains undergone in his paſſage, on the ſeventh day came to the River *Tigris*, and thence to the Cities of *Martyropolis* and *Amida*. Here he refreſhed his Souldiers and Captives, and he ſent Letters of his ſucceſs to *Conſtantinople*, where the news was received with as great Joy as the thing required. But in the Spring *Sarbanazas*, to be revenged and redeem his Credit, moves againſt him, who, upon the news received, ſends certain Troops to ſecure the Paſſages, through which he muſt march, and he himſelf goes another way, lying toward the Eaſt, by which he intends to find out and ſurprize his purſuing Enemy.

Gets another great Victory.

84. Having paſſed his Army over the River *Nymphius*, he came to *Euphrates*, over which a Bridge had been laid of Ropes and Wool, wrought together, which *Sarbanazas* had cauſed to be broken, and drawn all up to the other ſide. But *Heraclius* found out a Ford, and to the Amazement of all men paſſed over his Army in the Month of *March*, which having done, he ſubdued *Samaſatæ*, and again paſſing over *Taurus*, came to *Germanicia*, and through *Adana* to the River. In the mean time *Sarabazas* purſues him, and when he had paſſed the River *Sanis*, and ſeized on the Bridge, and all the Forts belonging to it, pitched his Camp on the other ſide. The *Roman* Souldiers were ſo elevated with their ſucceſs, that, contrary to the expreſs command of the Emperour, they would venture over the Bridge tumultuouſly, and charge the Enemy, which brought them into great ſtraits, and they had undoubtedly miſcarried, but that the great Valour and Conduct of the Prince preſerved them, who demeaned himſelf ſo in the battel, that his Enemies admired him, and under covert of the night thought beſt to retire. *Heraclius*, all being now clear, leads his Men to *Sebaſtea*, where, having croſſed the River *Halys*, he reſolved to winter. *Choſroes* hearing how his matters daily went down the wind, boiled with anger, and in a great rage took away the Wealth of all the Churches within his Dominions, and to vex *Heraclius*, compelled all Chriſtians, that were his Subjects, to embrace the Hereſie of the *Neſtorians*.

He paſſeth *Euphrates*.

Defeats the *Perſians* that oppoſed him.

Choſroes enraged.

85. Having been ſo many times ignominiouſly beaten, and forced to take his heels, he conſidered how unlike his fortune had been to that of his Predeceſſours, before whom the *Romans* had been wont moſt commonly to flie, and impatient of the diſgrace, for the following year reſolved to apply all his Force and Intereſt againſt *Heraclius*, into whoſe Territories, if he could transfer the War, he thought

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he ſhould compell him to return home, and ſo doe his buſineſs. He raiſed an Army
Raiſes a vaſt Army. out of all ſorts of Nations, he could compaſs, and out of all conditions of his own Subjects Slaves or free; the choiceſt of which he committed to the conduct of *Sais*, and added to them fifty thouſand ſtout Souldiers out of *Sarbaras* his Army, whom he named the *Golden Company*. *Sais* thus furniſhed, he ſent againſt *Heraclius*, and commanded *Sarbaras* with the reſt of the Forces to march toward *Conſtantinople*, and in his way to draw the Weſtern *Hunnes*, or *Avares* into ſociety with him, and ſo in conjunction with the *Slavini* and *Gepidæ*, to fall upon that City. *Heraclius* his Intelligence was ſo good, that he fully underſtood how his Plots were laid, and therefore divided his Army into three Parts, whereof one he ſent to defend the City, the ſecond he committed to the charge of *Theodorus* his Brother, with order to fight *Sais*, and he himſelf with the third invaded the Territories of the *Lazians*, endeavouring to procure Auxiliaries alſo from the *Eaſtern Turks*, called otherwiſe *Chazari*.
Theodorus beats *Sais*. *Theodorus* ingaged and routed *Sais*, by help, as they report, from Heaven, a great ſtorm of Hail ſorely diſtreſſing the *Perſians*, with which the *Romans*, were not at all incommoded. And *Sais* having received this notable defeat, as the cuſtome is, with theſe Barbarous Eaſtern Nations, fell into the great diſpleaſure of his Prince, and contracted from grief a mortal Diſeaſe, which having made an end of him, *Choſroes* tyranniſed with ſeveral ſorts of Indignities over the dead Body.

86. In the mean time the *Chazari*, or Turks, break through the *Caſpian* Gates into *Perſia*, and pierce as far as the Region of *Androegal*, under conduct of *Zeebelus*, who was next in dignity to *Chajanus*. As they waſted the whole Countrey, and roved up and down, *Heraclius* met them in his March from *Lazica*, and made an Alliance with them upon ſuch Terms, as *Zeebelus* therewith ſatisfied, left his Son with the Emperour, and departed home. In the mean while *Sarbarazas* ſets upon *Chalcedon*, and the *Avares* flocking in great numbers out of *Thrace*, beſieged
Conſtantinople beſieged by the *Avares*. ſtraitly *Conſtantinople*, by Sea and Land, bringing many Veſſels out of the *Danube*. But when they had beſieged the City ten days, a wonderfull thing hapned, which produced full as ſtrange an effect. They thought they ſaw a Lady with a train of Eunuchs iſſue out of the Gate of *Blachernæ*, which ſuppoſing to be the Wife of *Heraclius*, and that in the abſence of her Husband ſhe was coming to their General to treat of Peace, they made way for her, purpoſing to fall upon all ſuch Souldiers as ſhould follow after her. But finding that though ſhe had paſſed the Trench, yet ſhe came not towards the General's Tent, they began to purſue her, and followed her as far as the place called *The old Stone*, where when they had almoſt overtaken her, ſhe ſuddenly diſappeared; but the purſuers immediately fell on quarrelling amongſt themſelves, and from words came to mortal blows, which they laid on till Evening began to part them. The next day the Captain coming to inquire of
The Siege wonderfully raiſed. the Cauſe, found that the moſt part of his Men were deſtroyed by their Fellows, and in great ſhame and diſcontent retired. Then did the Fleet alſo withdraw, and returning homewards, in the *Euxine* Sea was ſo diſtreſſed by Tempeſt, that few eſcaped. Yet would not *Sarbarazas*, though he took the thing much to heart, raiſe his Siege from before *Chalcedon*; but there wintring, haraſſed all the Sea Coaſts, and deſtroyed all the Towns adjoining.

87. In the mean time *Heraclius* having joined to him the Turks, entred *Perſia* in the Winter ſeaſon, and terrified *Choſroes* exceedingly; but the Turks not enduring the ſharpneſs of the weather, and frighted by the many Incurſions and Skirmiſhes of the *Perſians*, began to ſlip away, and at length all of them deſerted the Emperour, and returned home, yet he, by religious Arguments, comforted his Men, and prepared to encounter *Razaſtes*, a Man of great Valour and Conduct, whom *Choſroes* had made General of all the Forces he could raiſe. Having waſted all with fire and Sword in his way, in the month of *Octobor* he entred the Countrey called *Chamaitha*, where he refreſhed his Army ſeven days. *Razaſtes* followed him, but by reaſon that the *Romans* deſtroyed all things as they went along, his Men were much diſtreſſed for want of Victuals. On the firſt of *December* the Emperour, having croſſed the River *Zaba*, ſate down not far from *Ninive*, and *Razaſtes* was inſtantly at his Heels. The Emperour ſent out *Boanas*, his prime Officer, with a choice Party of Men, who light upon the Band or Standard of the *Perſians*, and having killed all about it but ſix and Twenty, brought thoſe away Priſoners, with the Head of their Leader, and, together with his Dagger of maſſy Gold, they took the Armourbearer of *Razaſtes*. He told *Heraclius*, that *Razaſtes* was reſolved to fight, and that three thouſand freſh Men were ordered him by *Choſroes*, but were not yet arrived, which made him reſolve to engage e'er theſe ſuccours ſhould join with the reſt of the Army. He himſelf ſhewed the moſt

Ὁ δὲ Βασιλεὺς τὸν τῶν Περσῶν στρατηγὸν, &c. Cedrenus ad Ann. 17 Heraclii.

moſt alacrity to fight, killing three of the *Perſian* Officers with his own hand, one
Heraclius obtains another great Victory. after another, and a bloudy Battel it was, laſting from morning to night, wherein fell *Razaſtes*, with almoſt all his fellow Commanders, and the greateſt part of the Souldiers; but of the *Romans* onely fifty. *Razaſtes* his Body was found, with a Shield and Armour, all of maſſy Gold.

88. The Emperour, to make uſe of the terrour which this Victory ſtruck into the mind of *Choſroes*, preſently led againſt him, intending, if poſſible, to find him out, or force him to recall his Forces from the Parts about *Conſtantinople*. Paſſing over the Bridges of *Zaba* the leſs, he came to the Palace of *Jeſdemon*, and there kept his *Chriſtmas*. Hence he marched to another Houſe of *Choſroes*, called *Ruſa*, which he demoliſhed, and paſſed on to another, known by the name of *Beclam*, where he found a great number of all ſorts of Beaſts, which he diſtributed to his followers. Here by ſome fugitive *Armenians* he underſtood that *Choſroes*, with all his Elephants and his Forces, ſtaid at *Dyſtagerda*, another of his Manſions, where he expected the coming of the reſt of his Men. Thither therefore he made his way, burning and killing all in his paſſage, and coming to the place, there found the ſeveral Standards which at divers times had been taken from the *Romans*, with abundance of Spices, Hangings richly wrought, and much Silk, whereof as much as could not be brought away he cauſed to be burnt. Hither repaired to him many Captives taken from *Edeſſa*, *Alexandria*, and out of other Nations. All the pleaſant Houſes of *Choſroes*, of which ſome were admirable for Beauty, and rich Furniture, he burnt to the ground, to let him feel, as he ſaid, what he did when he deſtroyed the *Roman* Cities. The King, e'er he came to *Dyſtagerda*, ſtole ſecretly away, with his Wives and Children, having broken an hole in the Wall, and he who formerly in an intire day could not make a Journey of five miles, now could travell five and twenty, and having paſſed beyond *Cteſiphon*, and the River *Tigris*, ſhut up himſelf, with his Wife and three Daughters, in a certain Caſtle.

89. While here he reſides, ſome *Perſians* calumniate *Sarbarus*, or *Sarbarazas*, to him, as if he held intelligence with the *Romans*, whereupon he ſends to *Cardarichas*, his Collegue, then lying before *Chalcedon*, that he ſhould kill *Sarbarus*, and return with the Army into *Perſia*. He that carried the Letter was intercepted by the *Romans*, upon the Borders of *Galatia*, and brought before the Emperour's Son at *Conſtantinople*, who ſends for *Sarbarus*, and ſhews him the Letter, with which he was ſo concerned, as to make Peace with him and the Patriarch, and puts into the Letter of *Choſroes*, that with him four hundred other Officers of the Army ſhould be killed. Then calls he *Cardarichas*, and all the Armies together, and reading the Letter, demands if they thought it convenient that all thoſe perſons ſhould be ſlain, whereat they were all enraged, and renouncing *Choſroes*, made Peace on that condition, that they might return home without impediment. About the ſame time *Heraclius* wrote to *Choſroes*, and offered him Peace, which he refuſed, and thereby increaſed the hatred his Subjects had already conceived againſt him. He levies another Army, which he commands to join with the remainder of *Razaſtes* his Troops, and hovering about the River *Narba*, to break down the Bridge aſſoon as *Heraclius* ſhould have paſſed over. The Emperour hereof advertiſed, returned to the Region called *Siazur*, which he ſpoiled and burnt, and here *Gundufundus*, who had ſerved under *Sarbarus*, as a Tribune, with many others, join themſelves to him. He acquaints him that *Choſroes* had determined to crown King his youngeſt Son *Merdaſa*, which *Sivoes* his eldeſt oppoſed with all his vigour, and had procured to join with him two and twenty *Satrapæ*, with an infinite multitude of Men, which now conſpired to make an end of *Choſroes*, and if that could not be done, all of them would revolt to the *Romans*. *Heraclius* approving the deſign, ſends to *Siroes*, and adviſes him to ſet all the *Romans* they had at liberty, and lead them againſt his Father, which he did, and eaſily took him, though he attempted to eſcape. Now was he bound in Iron Fetters, and having Gives of Iron alſo about his Neck, was caſt into a Dungeon, and fed onely with Bread and Water.
Choſroes taken and killed by his Son *Siroes*. *Siroes* ſent the Noblemen to ſcoff at him, and ſpit in his Face, and having killed all his Sons in his ſight, cauſed him, after fifteen days, to be ſhot to death.

90. This end had Paricide, Inſolence and Ingratitude, by the Hand of him who ought leaſt to have done it, though he revenged the death of his Grandfather, after that *Heraclius* had waged War againſt the Tyrant with miraculous ſucceſs, the ſpace of ſix years. *Siroes* preſently ſent to the Emperour, to give him notice how matters ſtood, made a perpetual Peace, and ſet at liberty all Priſoners, together with *Zacharias* the Patriarch of *Jeruſalem*, and the wood of the Croſs taken out of that City. By virtue alſo of this Peace the *Roman* Provinces, on which the *Perſians*

he ſhould compell him to return home, and ſo doe his buſineſs. He raiſed an Army
Raiſes a vaſt Army. out of all ſorts of Nations, he could compaſs, and out of all conditions of his own Subjects Slaves or free; the choiceſt of which he committed to the conduct of *Sais*, and added to them fifty thouſand ſtout Souldiers out of *Sarbaras* his Army, whom he named the *Golden Company*. *Sais* thus furniſhed, he ſent againſt *Heraclius*, and commanded *Sarbaras* with the reſt of the Forces to march toward *Conſtantinople*, and in his way to draw the Weſtern *Hunnes*, or *Avares* into ſociety with him, and ſo in conjunction with the *Slavini* and *Gepidæ*, to fall upon that City. *Heraclius* his Intelligence was ſo good, that he fully underſtood how his Plots were laid, and therefore divided his Army into three Parts, whereof one he ſent to defend the City, the ſecond he committed to the charge of *Theodorus* his Brother, with order to fight *Sais*, and he himſelf with the third invaded the Territories of the *Lazians*, endeavouring to procure Auxiliaries alſo from the *Eaſtern Turks*, called otherwiſe *Chazari*.
Theodorus beats *Sais*. *Theodorus* ingaged and routed *Sais*, by help, as they report, from Heaven, a great ſtorm of Hail ſorely diſtreſſing the *Perſians*, with which the *Romans*, were not at all incommoded. And *Sais* having received this notable defeat, as the cuſtome is, with theſe Barbarous Eaſtern Nations, fell into the great diſpleaſure of his Prince, and contracted from grief a mortal Diſeaſe, which having made an end of him, *Choſroes* tyranniſed with ſeveral ſorts of Indignities over the dead Body.

86. In the mean time the *Chazari*, or Turks, break through the *Caſpian* Gates into *Perſia*, and pierce as far as the Region of *Androega*, under conduct of *Zeebelus*, who was next in dignity to *Chajanus*. As they waſted the whole Countrey, and roved up and down, *Heraclius* met them in his March from *Lazica*, and made an Alliance with them upon ſuch Terms, as *Zeebelus* therewith ſatisfied, left his Son with the Emperour, and departed home. In the mean while *Sarbarazas* ſets upon *Chalcedon*, and the *Avares* flocking in great numbers out of *Thrace*, beſieged
Conſtantinople beſieged by the *Avares*. ſtraitly *Conſtantinople*, by Sea and Land, bringing many Veſſels out of the *Danube*. But when they had beſieged the City ten days, a wonderfull thing hapned, which produced full as ſtrange an effect. They thought they ſaw a Lady with a train of Eunuchs iſſue out of the Gate of *Blachernæ*, which ſuppoſing to be the Wife of *Heraclius*, and that in the abſence of her Husband ſhe was coming to their General to treat of Peace, they made way for her, purpoſing to fall upon all ſuch Souldiers as ſhould follow after her. But finding that though ſhe had paſſed the Trench, yet ſhe came not towards the General's Tent, they began to purſue her, and followed her as far as the place called *The old Stone*, where when they had almoſt overtaken her, ſhe ſuddenly diſappeared; but the purſuers immediately fell on quarrelling amongſt themſelves, and from words came to mortal blows, which they laid on till Evening began to part them. The next day the Captain coming to inquire of
The Siege wonderfully raiſed. the Cauſe, found that the moſt part of his Men were deſtroyed by their Fellows, and in great ſhame and diſcontent retired. Then did the Fleet alſo withdraw, and returning homewards, in the *Euxine* Sea was ſo diſtreſſed by Tempeſt, that few eſcaped. Yet would not *Sarbarazas*, though he took the thing much to heart, raiſe his Siege from before *Chalcedon*; but there wintring, haraſſed all the Sea Coaſts, and deſtroyed all the Towns adjoining.

87. In the mean time *Heraclius* having joined to him the Turks, entred *Perſia* in the Winter ſeaſon, and terrified *Choſroes* exceedingly; but the Turks not enduring the ſharpneſs of the weather, and frighted by the many Incurſions and Skirmiſhes of the *Perſians*, began to ſlip away, and at length all of them deſerted the Emperour, and returned home, yet he, by religious Arguments, comforted his Men, and prepared to encounter *Razaſtes*, a Man of great Valour and Conduct, whom *Choſroes* had made General of all the Forces he could raiſe. Having waſted all with fire and Sword in his way, in the month of *October* he entred the Countrey called *Chamaitha*, where he refreſhed his Army ſeven days. *Razaſtes* followed him, but by reaſon that the *Romans* deſtroyed all things as they went along, his Men were much diſtreſſed for want of Victuals. On the firſt of *December* the Emperour, having croſſed the River *Zaba*, ſate down not far from *Ninive*, and *Razaſtes* was inſtantly at his Heels. The Emperour ſent out *Boanas*, his prime Officer, with a choice Party of Men, who light upon the Band or Standard of the *Perſians*, and having killed all about it but ſix and Twenty, brought those away Priſoners, with the Head of their Leader, and, together with his Dagger of maſſy Gold, they took the Armourbearer of *Razaſtes*. He told *Heraclius*, that *Razaſtes* was reſolved to fight, and that three thouſand freſh Men were ordered him by *Choſroes*, but were not yet arrived, which made him reſolve to engage e'er theſe ſuccours ſhould join with the reſt of the Army. He himſelf ſhewed the moſt

'o 3 Of Boanas his Engagement, &c. Confer ad Annum Heraclii.

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Heraclius returns in triumph after his wonderfull performances.

stians had lately seized, were restored to the Empire, as all *Syria*, both the upper and lower, the Garrisons being drawn out of the Cities. These things done, *Heraclius* returned to *Constantinople* in triumph, and a triumph he deserved, equal to those of the greatest Captains, having recovered the Eastern parts of the Empire, and restored the poor distressed People to their ancient Liberty, burnt so many Cities, wasted so many Countries in the Enemies Dominions, fully revenged upon that Infidel Nation all the Indignities offered to the *Romans*, stained the Glory of *Chosroes* his Family, by causing him basely to run away, by burning his Palaces, and driving his Subjects into Rebellion, and that at such a time when the Empire was in a very low and sad condition, its Treasure exhausted, and its *Militia* decayed, and quite out of order. The People hearing of his approach, ran out of the City with a greedy desire of seeing him. There wanted no Prayers, Praises, Acclamations and Welcomings, they carried out Olive branches in their Hands, with Lamps, which they almost extinguished with their Tears of Joy. His Son *Constantius*, accompanied with the Patriarch, fell at his feet, and embracing him, they both watered the ground out of the like Fountains.

He makes a Progress to *Jerusalem*.

91. The following year, which was the nineteenth of his Reign, in the beginning of the Spring, he made a Progress to *Jerusalem*, where he restored *Zacharias* Patriarch, and the Wood of the Cross he deposited in its former place. By an Edict he forbad the Jews to come within three Miles of the City, and having finished his Devotions, made a farther Progress into the Eastern Provinces. Coming to *Hierapolis* in *Phrygia*, he had the news of the Death of *Siroes*, the new King of *Persia*, who was now served in the same sort as he had dealt with his Father, being slain by *Sarbaras* the General, or *Adeser* his own Son, who having enjoyed the Title but seven Months, received the same measure himself from *Barrazas*, who continued King for eight months longer. Him the *Persians* slew, and preferred to the Throne *Barama*, the Daughter of *Chosroes*, some say *Barachanes*, his Son, who having reigned but seven Months, was succeeded by *Hormisdas*, whom the *Saracens* drove out of *Persia*, and subjected this Kingdom to the *Arabians*, under whom it continues at this day, saith *Cedrenus*. Thus in a short time was brought to ruine a Monarchy which so lately had been the most potent and dreadfull of all others; and by the same course of mutability, the same wheel of Fortune elevated the *Roman* Empire, which so lately had lain in the lowest condition to an high pitch of its ancient Glory. *Heraclius* was now become so famous in all Countries, that several Kings, as well from the West as the East, sent to congratulate his good Success, and join in Confederacy with him. As the King of the *Indians*, who sent him a rich Present of Pearl and pretious Stones, and *Dagebert* the Son of *Chlotharius*, King of the *Franks*. But see still the vicissitude of humane Affairs: *Heraclius* now at ease and leisure, having subdued his Enemies abroad, assists in a religious Civil War at home, and makes himself a great Party amongst Churchmen, embracing the Heresie of the *Monothelites*. As a punishment for this grievous crime (as some, who take upon them to pry into the secret Providence of God, do assert) the Empire which had lately been restored to so high a pitch of greatness and reputation, began now again to fall to decay, and so by little and little was diminished, till at last it came to utter ruine, and into the hands of Barbarians. So that *Heraclius* is blamed, as in a great measure the Authour of this mischief, and is farther taxed upon this account, that busying himself with Opinions and Speculations not proper for him, he took no notice of the greatest mischief which ever rose in the East, the greatest Plague that ever happened to *Christendom*, which he might have prevented, and crushed as a Cockatrice in the very Egg. For now at this time *Mahomet* was Captain of the *Saracens*, whose Power he much advanced, and instilled into them the Venome of a new Religion. He died in the one and twentieth year of *Heraclius* his Reign.

The *Persian* Monarchy ruined.

Heraclius courted by Foreign Princes.

Busies himself with points of Religion, and suffers *Mahomet* to rise.

92. He left for his Successour *Ebubachar* his Kinsman, who taking occasion at the low Estate to which the *Persian* Kingdom was brought, advanced as much as he could the Affairs of the *Saracens*. But he continued not long in his place, dying in the four and twentieth year of *Heraclius*, after he had reigned, or been *Ameras*, as their term was, two years and an half, and was succeeded by *Humar*, or *Haumar*, who, to improve what *Mahomet* and *Elbubachar* had begun, took *Bostra*, with several other Cities, and proceeded in his Conquests as far as *Gabitha*. Against him *Theodorus*, the Emperour's Brother, made head, but was defeated, and forced to fly to *Heraclius*, then lying at *Edessa*, who made *Boanes*, or *Bahanes*, or *Habanes*, General in his stead, and besides this, sent *Theodorus Sacellarius* with an Army against the *Arabians*. Being come as far as *Emesa*, there the *Ameras* meets him

He is frighted from *Jerusalem* by the *Saracens*, who beat his Officers.

him with a multitude of his *Saracens*, and incamps himself upon the River *Bardonisus*, the Rumour of which frighted the Emperour so that taking away the Relicks from *Jerusalem*, he returned to *Constantinople*, sending Orders to *Boanes* to remove from *Damascus* to *Edessa*, to the Assistence of *Theodorus*; whose Army consisted of forty thousand Men. Yet it seems he obeyed not the Order, being forced to entertain more provident Councils, for instead of assisting *Theodorus*, he had need of calling him to his aid; the *Saracens* in the Spring following, in infinite multitudes flocking to *Damascus*. *Theodorus* was ready at his call, but engaging with the *Arabians*, was worsted and forced to retire, after which the Army under the command of *Bohanes*, fell into a Mutiny, and renouncing *Heraclius*, chose him for their Emperour. Hereupon *Theodorus Sacellanus* withdrew the Forces under his Command, and the *Saracens* rid of him were in better Capacity to grapple with *Bohanes*, whom they destroyed with all his Men. For when they ingaged, a strong Wind blew all the Dust into the Faces of the *Romans*, which made them unfit for fight, and to fly to the River *Jerinochte*, into which they were driven Headlong by the Enemy, and all perished either in the Water, or by the Sword. Then did the *Saracens* easily take *Damascus* with the Regions of *Phœnicia*, which now they began to inhabit, and shortly after, with ease subdued *Ægypt*, which they also planted with their own Men. Here we are like to meet with a warlike Nation, which for a long time is to act a most considerable part upon the stage of the World. We shall therefore make a pause, and inquire who this *Saracen* is, and whence he is descended; for all mens Eyes are now upon him, and all the News is concerning his Motions, and the dreadfull Effects of his Victorious Arms.

And take *Damascus* with the Regions of *Phœnicia*.

The Original of the *Saracens*, which Name was not ancient.

93. It's evident out of *Ammianus Marcellinus*, that the Name of *Saracens* was not ancient. The first certain mention of it is in *Ptolemy*; who describes a Region called *Saracen* in the West part of *Ismael's* Territories, as they are set out by *Moses*, and a People called *Saraceni* in *Arabia Fœlix*, near to the Mountains which the *Scenitæ* inhabited. That they were *Arabians*, is most evident out of the Greek Annals, which call them indifferently by the one, and the other Name: But farther, in all the Ecclesiastick Writers the Names of *Saracens* or *Hagarens* are used promiscuously, as Equivalent, and the *Saracens* to the modern *Jews* of *Spain* are best known, by that of *Ismaelites*. The Reader therefore is to consider, that of *Abraham's* base Seed, some in Scripture are denominate from their Mother, known by the Name of *Hagarens*; others from her Son their Father, are called *Ismaelites*, and some take their Names from his Sons, as *Kedar*, *Duma*, *Naphish*, *Itur* and others, although not any People in Scripture are named from *Nabaioth*, his eldest Son, which adds Probability to their Opinion, who think such as the Heathen called *Nabathæi*, were in Scripture called *Ismaelites* as sole Heirs to their first Progenitour's Name. Their seat was in the best part of *Arabia Petræa*, near to the *Midianites*, as is probable from the story of *Joseph*; who in one place is said to be sold unto the *Ismaelites*, in another to the *Midianites*, these being near Neighbours it seems, and Co-partners in Traffick. And this is observable, that as the *Nabathæans* are not mentioned in Scripture, so neither do we find the Name of *Ismael* in any ancient Heathen Writers: All of them it's likely being of *Strabo's* mind, who professeth that he omits the Names of the *Arabians*; partly, because in his time they were out of use, and partly, for the Harshness of their Pronunciation; to which Exception the Name of *Ismael* was very obnoxious.

L. 23.

Arabians.

Saracens and *Hagarens* the same.

Ismaelites.

See Dr. *Jackson* upon the Creed, B. 1. Ch. 25.

Cedrenus & Zonaras passim eos Agarenos dicunt.

Their Seat.

Lib. 16.

94. The seat of such, as by the Scripture are called *Hagarens*, was in the Desert of *Arabia*, betwixt *Gilead* and *Euphrates*: They were by the Heathen called *Agræi* (a Word more Consonant to their Hebrew name הגרי, than the Latine *Hagareni*) and are rightly placed by *Ptolemy* in *Arabia* Desert, and by *Strabo* in that very place which the Scripture makes the Eastern bounds of *Ismael's* Posterity; their Metropolis in latter times, being *Atra* or *Atre*, and the Inhabitans thereof called *Atreni*, unless both *Dion Cassius* and *Herodian*, either mistook, or have been mistaken, to have written *Atreni* for *Agreni*. But to omit particular Denominations, *Ismael's* Posterity was best known to ancient Heathens, from the manner of their Habitation in Tents; for, *Scenitæ Arabes*, was a Name general and Equivalent to his Race, unless perhaps the *Midianites*, or *Idumæans* might share with them in this Name, as they were partakers of their Quality, which yet is not so to be appropriated unto either, as if they had neither House nor Town, for as the Tents of *Kedar* are most famous in Scripture, so in it, *The Cities of the Wilderness* are also mentioned, and, *The Towns that* Kedar *doth inhabit*; nay, in the very times of *Moses*, *They were named by their Towns*, and, *By their Castles*. There were twelve Princes of their Nations, or twelve Heads of so many several Houses,

The Seat of the *Hagarens*, mentioned in Scripture.

Vide 1 *Chron.* 5. 9, 10.

'Αγραιοι.

Scenitæ Arabes the general Name of *Ismael's* Posterity.

Isai. 42. 11.

Gen. 25. 16.

Tribes or Clans, which kind of Government continued amongst the *Saracens* for four hundred years after Christ, or more. For as *Moses* Writes of such Princes, or Heads of Tribes, so of Heathen Writers, the Greek make mention of Φύλαρχοι Ἀράβων, Sextus Rufus, the Latins of *Phylarchi Arabum*, and the later Writers of *Phylarchi Saracenorum*, and *Reguli Saracenorum*.

Their Phylarchi.

95. But to give a more clear Proof, whence these *Saracens* descended, these two things are evident. First, that the *Saracens* were the same People with the *Arabes Scenitæ*. Secondly, that the *Scenitæ Arabes* were descended of *Ismael*. The first is expresly affirmed by *Ammianus Marcellinus*, and every one must acknowledge, that compares the ancient and later *Romans* together, that Write the very same stories: And the second sufficiently appears, from the Identity of the Habitation, Condition and Quality of the *Scenitæ* and *Ismaelites*. It's clear enough from *Pliny* and *Strabo*, that the *Scenitæ Arabes* were seated Eastward about the River *Euphrates*, troublesome Neighbours to *Chaldæa* and *Mesopotamia*, some part whereof in *Strabo's* time they inhabited. On the West they bordered upon *Ægypt* and *Æthiopia*, for *Ammianus* describing the situation of *Ægypt*, saith; *It bordered on the East upon the Cataracts of* Nile, *and the* Scenitæ Arabes *whom now we call* Saracens. And in another place, describing the situation of the *Saracens*, he makes *Assyria* their Border on the East; and the Confines of *Blemyæ*, and the *Cataracts* of *Nile* on the West. Now *Moses* saith expresly, that, *The Sons of* Ismael *dwell from* Shur, *which is towards* Ægypt, *unto* Havilah, *which is toward* Ashur, *in the way from* Ægypt *thither*. The Land of *Havilah*, or rather (according to the Orthography of the Hebrew) *Chavilah* famous in Scripture for Gold, retained the same Name in *Strabo's* time, the Inhabitants whereof called by him *Chaulotæans*, were next Neighbours to the *Hagareans*, or *Agræi*, whose Countrey *Severus* suspected to have had good store of Gold.

Scenitæ Arabes, quos Saracenos postea appellavit, lib. 23.

The Seats of the *Scenitæ Arabes* proves them *Ismaelites*.

Strabo, lib. 2. & lib. 16.

Lib. 22.

96. For their Condition and Qualities, *Ismael*, as *Moses* tells us, was begotten of *Hagar* an *Ægyptian* Hireling. And the Marriage of *Saracen* Women in *Ammianus* his time was Mercenary, and upon Compact for a time. *Hagar* conceived *Ismael* in *Abraham's* House, but ready to bring him forth in the Wilderness; whither he and she were sent again, after her return to her Mistress. And the *Saracen* Women in *Ammianus* his time married in one place, bare Children in another, and brought them up in third far distant; never permitted to live in rest, and in shew of Matrimony, they brought a Spear and a Tent for their Dowry; being a perfect Emblem of their Mercenary roving Life, for these by Covenant they might take with them at the end of their Service, and be packing from their Masters, to seek their Food in the Wilderness, as their Mother *Hagar* did before them. As *Ismael* in the Wilderness, so the *Scenitæ Arabes* were pinched with want of Water, their best Drink in *Arabia*, as *Strabo* Writes, and after they had inlarged their bounds, set them by *Moses* even in *Mesopotamia* it self, they were Confined to dry and barren places. *Moses*, describing the manner of *Ismael's* Life, saith, he was an Archer in the Wilderness. *Ammianus* affirms, he knew many of the *Saracens* in his time, that neither knew the use of Wine nor Corn. None of them ever set his hand to the Plough, but got their living for the most part by the Bow, having indeed been famous for Artillery throughout all their Generations. As they were, such was their meat, wild Flesh or Venison, Herbs or Milk, or such wild Fowl, as they could catch in the Wilderness: For their wildness he compares them to Kites, ready to espye a prey, but untame withall, that they would not stay by it, as Crows, or other ravenous Birds do by Carrion; but presently flew with what they had caught to their Nests. So notoriously was their Wildness incorporated into their Nature, that the more tame they grew, the less Right they seemed to have to their Names, as *Strabo* intimates.

As also their Qualities.

Vide Ammianum, ubi describit mores Saracenorum, lib. 14.

Lib. 16. *p.* 765.

97. And as they resembled *Ismael* and *Hagar* in their Conditions, so as fully *Abraham* in their Rites and Religion. *Ismael* was about thirteen years old, when God established his Covenant with *Abraham*, and for this reason was not Circumcised, till that year. And the *Saracens* to this day Circumcise not their Children before that time. *Abraham* erected Altars, and *Jacob* anointed the Stone in the place where God appeared to him. And the *Saracens* celebrated their Sacrifices unto a Stone, with Apish and Childish Ceremonies. God commanded *Moses* (Ignorant it seems of that Religious and decent Custome, which his Forefathers in like Cases used) to put off his Shoes when he was to tread on Holy Ground; which Rite was afterwards observed by the *Jews*, in their more solemn Vows: And the *Saracens* to this day have their *Nudipedalia Sacrificia*. *Abraham*, if *Josephus* may herein be credited from his sober Contemplation of the Heaven and the Stars, began to detest Idolatry, and to adore that Divine Providence,

And resembling *Abraham* in many things.

Synod. Nicena secund. Act. 4. *in Epist. Germani Episcopi, ad Thom. Episc. Claudiopol.*

Providence, by which these supposed Gods were guided. And the *Saracens* falling back to Idolatry, adored *Lucifer*, or the Morning Star. And some Conjecture that their Habitation in Tents, and wandring Course of Life was not continued throughout so many Generations, so much upon Necessity, as in Imitation of *Abraham's* using Tents; necessary in that time for him that would Travell throughout so many Countries, as he was forced to doe.

Dr. *Jackson.*

98. For these reasons therefore we may safely with Dr. *Jackson* conclude, that the *Saracens* were the Off-spring of *Ismael*; and the Names of *Saracens* and *Hagarens* being promiscuously used in Ecclesiastick Writers, it seems probable that that of *Hagarens* had sometime been common to all the Race of *Ismael*, and not appropriate to the *Agræi*, or such as the Scripture calls *Hagarites*, who after their good Success against *Trajan*, or *Severus* might propagate their Name to all the Sons of *Ismael*; as whole Nations take new Denominations from the Ring-leaders unto revolt. But as for the Name of *Saracen*, both *Sozomen* and St. *Hierome*, who lived not long after this People had assumed it, affirm without question, that they usurped it of *Sarah*, in hope to extinguish that note of Bastardy imparted in their former Name of *Hagarens*: As Great mens Bastards in few descents, attempt the changing of their Ignominious Coats. Whether this Ambition of theirs gave the first occasion, or the Fertility of the Soil of *Arabia Fœlix*, into which some of them transplanted themselves, as appears from *Ptolemy*, made this Colony scorn their former Name, as it would cause them to loath their ancient Seat, or whether given or taken upon other occasions, the whole Race, as well in *Arabia* the Desert, as elsewhere was willing to make a benefit of it, as an Argument to perswade the World they were free born and true Heirs of that Promise, from which the *Jews* were fallen. For *Mahomet* as all Writers agree, used this plausible Etymology, as a fair Colour to set off his foul Blasphemies, and the later *Saracens* in the siege of *Torutum*, which stood a Mile from *Tyre*, used this Name derived from *Sarah* as an Argument to perswade their Legitimate descent from *Abraham*, for whose sake they hoped for Favour and Respect at the hands of Christians.

They take the Name of *Saracens* from *Sarah*, because they would be thought free born.

Krantzius Hist. Saxonica, l. 1. c. 12.

99. Now to speak something of the Estate of this People from their Original. It appears from the Prophet that Judgments were denounced against them from Almighty God, that the Glory of *Kedar* should fail, and the residue of the number of the strong Archers of the Sons of *Kedar* should be few. Yet as St *Jerom* observes, they escaped the Rod of God's wrath, better than their Neighbours, by reason of their speedy removal from place to place, being never out of their dwelling, whilst they had Tents and Camels and Wastes to range in. Afterwards they continued troublesome Neighbours to *Syria*, till it was annext to the *Roman* Empire, by which the strength of these Archers was diminished, and the Reign of their *Philarchi* cut short. Their Countrey was first brought into the form of a Province by *Trajan*, in whose time yet the *Hagarens* growing weary of subjection Revolted, and were never again, for what can be known, reduced into perfect Obedience, either to the *Romans* or to any other People. The deliverance of these *Agarens* from *Trajan* and *Severus*, both who besieged them in their own Persons, was wonderfull and by some esteemed no otherwise than miraculous. As oft as the City was besieged, the Souldiers were annoyed with Lightnings, Thunders, Whirlewinds and Hail, affrighted and dazled with the apparitions of Rainbows; and Flies corrupted and spoiled their Meat, even while they did eat it. *Trajan* was forced to give over the Siege, which he had followed with danger of his Life, by coming within those Archers shot in viewing the City, and shortly after as if formerly he had fought with men, but now against God, he himself fell into a Disease whereof he Died.

Troublesome Neighbours to *Syria*.

Dio, lib. 68.

Trajan's ill success against the *Atreni*.

100. About eighty years after, the Emperour *Severus* disdaining as *Trajan* had done before, that those *Atreni* should stand out still against the *Romans*, when all their Neighbours had yielded, set upon them with all the violence he could, and in the second Assault after much loss sustained, overthrew part of the City Wall. Now out of design, he caused the Retreat to be sounded, hoping the besieged sensible of their Danger, would intreat for Peace and Liberty, which he resolved not to grant, but upon condition they would discover the hidden Treasure, supposed to be consecrated to the Sun. But they continued resolute an whole day, giving not the least Intimation of any Treaty for Peace, and the Souldiers were grown so discontented, that the *Europeans* before most resolute would not enter the breach, and the *Syrians* forced to undertake it, had a grievous Repulse, so as *Dio* observes, God Almighty delivered the City, recalling the Souldiers by *Severus* when they might

And that of *Severus*.

Vide Dr. *Jackson ubi supra.*

Gyraldus de Symb. Pythag.

have entred, and restraining *Severus* the second day by the backwardness of his men. Yet the Conquest seemed so easie, that one of the Captains so he might have but five hundred and fifty *European* Souldiers, would undertake to effect it, to which fair profer the Emperour in a distracted chase, replied *where shall I have so many?* and so departed into *Palestine*. Such was the good fortune of the *Atreni* or *Hagarens*, who might now communicate their Name to the rest of their Brethren. But what change soever they made of their Name, their Nature they could not change, and the greater they grew in Power, the more exactly they fulfilled the Prophecy concerning *Ismael*, that he should be a wild Man, that his Hand should be against every man, and every man's hand against him.

101. For a long time they continued like forward, but poor Gamsters, not able to set at more than one at once, and that for no great Stake, without some to go halfs with them, untill at length by their treacherous shuffling from side to side, and banding sometimes with one, and sometimes with another, as the Reader may remember they did in *Justinian*'s time, they durst set at all, and take *Asia*, *Europe* and *Africk* to task all at once, as we shall see hereafter. Sometimes they took part with *Mithridates*, and other Eastern Nations against *Lucullus* and *Pompey*, and yet were ready to joyn with *Pompey* against the Jews. Some of them were for the *Parthians* against the *Romans*, others for the *Romans* against the *Parthians*. Some for *Pescenninus Niger* against *Severus*, and others against *Pescenninus*; afterwards one while for the *Persians*, and another while for the *Romans*, as in the times of *Constantius* and *Julian*, the later of whom they reverenced more than any *Roman*, yet not satisfied in their expectations revolted from him. Afterwards they served the *Romans* in their Wars against the *Goths*, and yet while the *Goths* and other Barbarous People grasp with the Eagle in the West, those *Harpies* pluck at her Train in the East, and not therewith content, take their flight toward the West, to snatch the prey out of the mouths of the other Bussards, as one words it, and beat them one after another from what they had seized in *Spain* and *Africk*, attempting the like in *Gall*, *Greece* and *Germany*, displuming the breasts, and oftimes ready to devour the very Heart, even *Italy* and *Rome* it self. But of these particularly hereafter, and thus much of their Original, and their ancient Estate now let us reassume and prosecute the intermitted story of *Heraclius*.

With whom they joyned of old.

102. When the *Saracens* were on their march toward *Ægypt*, *Cyrus* the Bishop of *Alexandria* knowing their ravenous Disposition, made a bargain with them for two hundred thousand *Denarii* by the year to spare the Countrey. And the bargain was kept for three years, but in the mean time, the Bishop is accused for bestowing the Gold of *Ægypt* upon the Barbarians. The Emperour makes one *Manuel Præfectus Augustalis*, an *Armenian* by Birth, to whom when the Receivers of the *Saracens* came and demanded the money, he derided them saying, they should not find him a Priest as *Cyrus* was, destitute of Power, but to all points furnished to defend himself and not pay Tribute. This answer being reported to the *Saracens*, they presently armed themselves, took the way for *Ægypt*, and by strong hand made themselves Masters of the Countrey, having beaten away the Prefect. The Emperour perceiving the mistake, sent *Cyrus* to the *Saracens* to take the business upon himself, and to offer to swear that for the time to come, the money should be duly paid; but they utterly refused to quit their new Conquests. And thus *Ægypt* which had continued a principal member of the *Roman* Empire, ever since the days of *Augustus*, was rent from the Body by the Hands of the *Saracens*.

The *Saracens* make themselves Masters of *Ægypt*.

103. This rich and fertile Province did not satisfie them, but they must extend the power and effects of their Arms to all Quarters. The following year *Haumer* invades *Palestine*, and besieges the City of *Jerusalem*, which after two years was surrendred to him. In the mean time he sends another Army into *Syria*, all which it Conquered, though *Sergius* a *Roman* Captain from *Cæsarea* made some opposition, who in the very first Ingagement lost his Life. This short account have we from the Greek Annals, of that which deserved to have been more fully prosecuted, for the Subject must needs have been very various, where so great matters were atcheived, nor less than the subduing of whole Nations, alterations of Governments, and overturnings of the whole State and frame of things. But we must be content with these small Notes, all larger Narrations having perished, and satisfie our selves in this, that now the *Saracens* domineered over the East, and made nothing of possessing the *Roman* Provinces. For in the following year, being the twenty eighth of *Heraclius*, having already subdued all *Syria*, they took *Antioch* the Metropolis of the East, which they and their Posterity held four hundred and

Take *Jerusalem* and all *Syria*.

With *Antioch*.

and forty years, till the thousand and ninety eighth year of our Lord. In the mean time the *Persians* quarrel amongst themselves, and prepare a way for the Conquest also of their Countrey. The King of the *Indians*, to whom it's likely the news of the success of the *Saracens* was not yet come, held *Heraclius* still in such esteem for his management of his Wars against the *Persians*, that he sends to complement him, and made him very rich presents of Jewels. This something satisfies and diverts the Emperour, who employs himself in combats of the Tongue and Pen, about questions of Religion, when it would much more have become him to have spent his time in saving the Provinces committed to his Charge. About this time he had another Son born whom he named *David*, and was made a Grand-Father by a Son born to his Eldest Son *Constantine* on the same day, which Son was called after him *Heraclius*.

104. Yet to repress the violence of the *Saracens*, was sent *Theodorus* one of the Bedchamber, who had good success in one Battel, wherein a great multitude was slain, and in the Croud their *Ameras* or Princes who had joyned their Forces to encounter him. Notwithstanding an ill fate pressed upon the *Romans*, who having this advantage in Battel, lost it again by covetousness and folly. For there were some *Arabians* that lived on the Borders, and had a Pension from the Emperour to keep the passages of the Wilderness, who now demanding their money were paid onely with bad Language, whereupon they joyned themselves with their Countreymen, whom they conducted into the rich Countrey about *Gaza*, whence an inlet lay into the Desert near to Mount *Sina*. This they plundered and wasted at their pleasure, and *Sergius* from *Cæsarea* in *Palestine* with an inconsiderable party falling upon them, he perished with all his followers. *Jadus* had better fortune upon the Borders of *Persia*, where he got *Edessa* by fair means, *Constantia* and *Daras* by force, and so Conquered all *Mesopotamia*. This was but a Preface to that War which the year following fell upon *Persia*, when the *Saracens* invaded it, and utterly subdued it under themselves, *Hormisdas* being run away, and left off all Ensigns of Majesty: So fickle and inconstant are the greatest things in this World. This Kingdom was a very few years agoe so mighty, that it in a manner gave Laws to the *Roman* Empire. By a sudden change of Fortune, *Heraclius* invades and harasses it at his pleasure, and then is it torn in pieces by intestine differences, which makes it weak and unable to oppose any foreign Power. *Heraclius* as if he had done enough for a whole Age, sits down and busies his Head with speculations of Divinity. A Nation before inconsiderable rises up, and as a torrent overruns *Ægypt*, *Syria* and other Provinces of the Empire, and as if it onely came, saw, and then overcame, at one cast wins such stakes as other Gamsters could not compass in many Ages.

Theodorus defeats the *Saracens*.

But covetousness overbalanceth the Victory.

And the *Saracens* like a Torrent overrun *Persia* and the *Roman* Provinces.

105. *Heraclius* lives to see things come to this pass, and then as unwilling to expect the Conclusion and the fate of his other Provinces, departs this World in the month of *March* of a Dropsie, which was accompanied with strange and troublesome Symptoms. Such an alteration there was in the parts of his Body, that he could not make water but it would fly up to his Face, which our Writers account to have happened as a Judgment to him for having incestuously Married his own Niece. He Reigned thirty years and ten months with various success, but that his Reign was not more happy, he himself seems to have been in fault, not making use in his latter days of his own Abilities, which were many and large enough, as appears from his Conduct in the *Persian* War.

Heraclius dies.

CHAP.

CHAP. IV.

From the Death of Heraclius *to the Deposing of* Irene, *and the Promotion of* Nicephorus.

The space of an hundred and sixty Years.

Constantine succeeds, and is quickly made away.

1. TO *Heraclius* succeeded his Son *Constantine*, a Man of a weak and sickly Constitution, perhaps through the practices of *Martina* his Step-Mother, who, to prefer her own Son *Heraclonas*, plotted with *Pyrrhus*, the Patriarch, to rid him out of the way, and poisoned him after he had reigned but four Months. This done, *Heraclonas*, and his Mother, usurp the Government, and injoy their ill gotten Power for six Months, but then the Senate assume their courage, and deprive them of the Sovereignty; his Nose they cut off, and cut her Tongue out of her Head, and so banish them from the City. *Pyrrhus* also is deposed, and another Patriarch chosen in his stead. To the Throne they advance *Constans*, the Son of *Constantine*, and Grandson of *Heraclius*, who, as he had reason, thanked the Senatours for doing Justice upon the Murtherers of his Father, and rewarded them liberally. The beginning of his Reign is not characterized with the note of any eminent Action, matter being either wanting, or the Greek Annalists very careless, who onely tell us, that in his second Year *Haumar* began to build a Temple at *Jerusalem*, (with what success we shall see in its proper place,) and in his Third there was an Eclipse of the Sun; in his Sixth happened great Tempests, which overturned great Trees, and, as it seems, were as a Prologue to those great Concussions which invaded *Africk*. For this Year the *Saracens* got it also into their hands, and settled it in way of a Province, ordaining what, and how, Tributes should be paid, after they had thence beaten *Gregory*, who had seized on the Government of that Countrey. And as if Fortune had now wholly delivered her self up into their Power, the Year following *Mabias*, one of their Captains, with a great Fleet, invaded *Cyprus*, all which he took, with the City *Constantia*; and following on his victorious course, he did as much in the next Year by *Aradus*, which he dismantled and burnt, wasting the Island, so that for a long time after it remained without Inhabitant. The Year that follows is remarkable for nothing, except you will take notice, and believe that it rained dust.

Constantinus dicitur.

The *Saracens* conquer *Africk*.

Cyprus and *Aradus*.

Κόνις ἐν τῷ περιῤῥαίνειν τὸν κεραυνὸν ἔβρεξεν. *Cedrenus.*

Rhodes.

2. But that which follows, being the twelfth of *Constans*, is famous for *Mabias* (or *Mahunias*) his Conquest of *Rhodes*, and his destroying there the famous Colosse of the Sun, full thirteen hundred and sixty years after the founding of it by *Laches*. It was an hundred twenty six foot high, and stood astride over the Haven, so that Ships sailed betwixt its Legs, but though it was one of the Seven Wonders of the World, as nothing is so wonderfull, but time will at last put a period to it, being thrown down by an Earthquake it was now broken in pieces by the *Saracens*, and sold to a Jewish Merchant of *Emisa*, who with the Metal of it loaded nine hundred Camels. While *Mabias* thus employed himself in the Island of *Rhodes*, his Countreymen invaded *Armenia*, and wasted it far and wide, the Emperour all this while being fast asleep, and as if he had received some secret Instructions from his Grandfather, nourishing Contentions in the Church, while he seemed to have Peace with those that invaded his Territories at their pleasure, and robbed him of no less than whole Provinces at once. *Mabias* seeing and wondring at his deportment, thought it might be worth his pains to make for *Constantinople* it self, it being possible he might find him as unprovided there, as he was negligent in the defence of the Provinces, for this purpose he commanded a strong Fleet to be rigged at *Tripolis* in *Phœnicia*. And he might probably enough have done something remarkable, had not the Zeal of two Brothers, both Christians, and the Sons of a certain Trumpeter, who then resided at *Tripolis*, prevented him. For going to the Common Prison, they made a shift to set at liberty many Christian Captives, whom they perswaded then to set upon

Inscriptio ita se habuit.

Τὸν ὑπὸ Φιλιστιαίων ποτὲ θεωθέντα Κύριον Ἥλιον Ἀδὰμ ἐπιδὼν ὁ Λίνδιος. *Ex Colosso Incola Colossenses dixit; si fides Cedreno.*

Mabias his purpose of attacquing *Constantinople* prevented.

upon the *Ameras*, or Governour of the place, and killing him to destroy the Ships, and all Naval Preparations, which they effected, and escaped by Ship into the Emperour's Dominions.

The *Roman* Fleet defeated by the *Saracens*.

3. *Mabias* thus defeated of his purpose for attacquing *Constantinople*, went against *Cæsarea* in *Palestine*, giving order to one *Abulaures*, or *Abulathar*, to repair the Fleet, who obeyed his Commands, and sailing to *Phœnice* in *Lycia*, there found the *Roman* Navy with *Constans* the Emperour. They ingaged, and the *Romans* received a notable defeat. *Constans* was glad to shift Clothes with one of his followers, and was conveyed into another Vessel by one of the Trumpeter's Sons, who fought stoutly, and lost his Life in the Admiral Gally. Being got safe to *Constantinople*, he resolved the next Year to doe some thing which might repair his Credit, and made an expedition against the *Sclavini*, of whom he took and subdued many, and so returned home. In the mean time the *Saracens*, under Command of *Mabias* fall into a mutiny, so great that it brought him, in a manner, upon his Knees to the Emperour, of whom he begged Peace, on Condition, that the *Arabians* should pay him a Tribute of a thousand *Nummi* by the day, with an Horse and a Slave. But *Constans*, it seems, wonderfully affected with his late success against the *Sclavini*, thought of giving what Laws he himself pleased, and refused his Terms, as of small value, in comparison of the mischief done by these *Arabians* to the Empire. But what respect to the Empire soever he pretended, good Nature and Kindness could not be Principles on which he moved. For shortly after he causeth to be murthered *Theodosius*, his own Brother, whom he had commanded to be ordained Deacon, and from whose Hands he had received the sacred Cup. But see how he is tormented by his own Conscience, and caused to cast off all thoughts of Empire, and every other thing, of what consequence soever. He dreams that he sees his murthered Brother standing before him, with a Cup of Bloud in his Hand, commanding him to take and drink it. Being perpetually pursued and terrified with these Dreams, he resolves to quit *Constantinople*, and go into *Sicily*. He leaves his Wife and three Sons behind him, and having set sail in a Pinnace, turns back in disdain, spits at the City, his Royal Chamber, and the Seat of the Empire.

Constans defeats the *Sclavini*.

Causeth his Brother to be murthered.

Goes into *Sicily*.

4. From *Anastasius*, the *Vatican* Library-Keeper we are assured that he took *Rome* in his way, where he visited the Churches, being met by *Vitalianus* the Bishop, and his Clergy, five miles from the City. But the change of place could not divert the pangs of his Conscience, his Dreams of his Brother still pursue him, yet to *Constantinople* would he not return, where he was hated by the People for cleaving with so much earnestness to the Heresie of the *Monothelites*. He resolves to retranslate the Seat of the Empire to *Rome*, and for that purpose sends for his Wife and Children; but the Citizens of *Constantinople* having smelt out the Design, would not permit them to remove. While *Constans* spends his time by night with Terrours, and by day with such Diversions as he can find, *Mabias*, who had formerly offered to pay tribute, being now rid of *Halys* his Æmulator, and reigning alone, began to scorn the submissive posture he had lately owned, and now bore himself as resolutely and goodly as ever. He sent *Izod* his Son into the *Roman* Territories, who proceeded as far as *Chalcedon*, and taking *Amorium*, a City of *Phrygia*, therein left a strong Garrison, and with much spoil departed home. But when Winter approached, the Emperour sent *Andreas*, one of his Chamber, who by night got over the Walls into *Amorium*, and put all the Garison to the Sword. *Constans* having in vain attempted to dispossess the *Lombards* of *Italy*, was very troublesome to the Inhabitants of *Calabria*, *Sicily*, *Africk* and *Sardinia*, on whom he laid such heavy burthens, as formerly they had never known, and besides that, robbed the Churches of their sacred Vessels and Furniture. While he exceeds in those Acts of Violence and Sacrilege, *Saporius*, the Governour of *Armenia*, rebells, and sends to the King of the *Saracens* for aid, one *Sergius*, the *Magister Militum*, who at the Court of *Mabias*, which was then at *Damascus*, met with *Andreas*, the Bed-chamber-man, whom the Emperour had sent on the like Errand.

Some say to *Rome*.

Vide Baronium.

Izod the Saracen takes *Amorium*.

Which is recovered.

Saporius rebells.

5. The *Saracen* gave audience to them both. *Sergius* insulted so much over the other, and promised such vast things, that he drew him to his party, and *Andrew* was sent away in discontent, who yet affirmed, that the *Roman* Emperour thus affronted would betake himself to Almighty God, in whom he had good Cause to put his trust. And that he spoke nothing but what was true, the event proved. For as they returned, *Sergius* fell into the hands of *Andrew*, who hanged him up. Against the Usurper was sent *Nicephorus*, a Patritian, who marching towards *Adrianople*, where he then lay, it happened, that as the Tyrant expected him, and exercised his Men, when, on a time, he was just come to the Gate of the City, he gave

gave his Horse a lash with his Whip, which not taking in good part, he kicked, and threw him with his Head forward against the Gate, and so bruised him that he died of the Fall. Thus did *Constans* overcome without one stroke struck; a favour more due to his Cause and Profession, than his own Person. Therefore as his Cause and Profession was hereby countenanced, so his Person shortly after received a reward, suitable perhaps to his merit, though Treason, as it proceeded from his hand that did the deed. As he was bathing himself at *Syracuse*, in the Bath called *Daphne*, one *Andrew*, the Son of *Troilus*, knocked him on the Head with a Vessel, with which they poured hot water upon him, after he had reigned twenty seven years, in the fourteenth Year of *Vitalianus*, the *Roman* Bishop, the eleventh Indiction. *A. D.* DCLXVIII.

Killed by a Fall.

Constans killed in a Bath at *Syracuse.*

6. He being dead, they of *Syracuse*, who, as it seems, were of the Plot with *Andrew*, named Emperour one *Metius*, *Mezentius*, or *Mizizius*, an *Armenian*, a very beautifull Person. But *Constantius*, the eldest Son of *Constans*, understanding how matters went in *Sicily*, being formerly made Emperour, by his Father, hastes to the Island with a great Fleet, and easily subdues his *Æmulator*, with all those of his Party. The Usurper, though he had been drawn to take the Purple sore against his will, he caused to be slain with others, amongst whom was *Justinian*, the Father of *Germanus*, afterward Patriarch, whom also being just then come to years of Puberty, he commanded to be gelded. Having settled all things in *Sicily*, he returned to *Constantinople*, where the Citizens bestowed on him the Sirname of *Pogonatus*, because having departed thence onely with some down on his Chin, he returned to them with a perfect Beard. But at his return he was received with the news of a Sedition risen amongst the Nobility of the Eastern parts, who cried out, that his two other Brothers ought also to be crowned Emperours, and it seems they were more zealous Christians, and more orthodox in their Faith, than regular in their Logicks. For they contended, as there are three Persons in the blessed Trinity, so there ought to be three Emperours upon the Throne. The Mutineers being allured to *Constantinople* from *Chrysopolis*, where they had assembled under shew of being present at the Coronation, after he had got them into his Power he put them to death, and cut off the Noses of both his Brothers, whom yet some Authours make his Collegues in the Empire. While these stirs happened at *Constantinople*, the *Saracens* invade *Africk*, and using the Inhabitants as they pleased, led away eighty thousand of them into Captivity. For these things the first Year of *Constantine* was memorable. His second was onely remarkable for this, that the cold of the Winter was so vehement, that therewith perished many Men, besides other Animals: And in his fourth appeared such a Rainbow in the Heavens, as they thought, did signifie the end of the World to be at hand. Indeed a great mischief was not far off, for the *Saracens*, or the Posterity of *Agar*, as *Zonaras* calls them, with a great and strong Fleet, came into *Cilicia*, and wintered at *Smyrna*.

Constantine his Son succeeds.

A Conspiracy prevented.

Zonaras.

The *Saracens* invade *Africk.*

And *Cilicia* with a Fleet.

Οἱ δὲ Ἄραβες παχεῖαν.

7. The Year that followed, being the fifth of *Constantinus Pogonatus*, they came up to the Borders of *Thrace*, seizing on all that lay betwixt the *Hebdomum*, or Western Promontory and *Cyclobium*. *Constantine* brought out his Fleet, and every day they fought from morning till night, betwixt the *Brachiolum* of the Golden Gate, and *Cyclobium*; so near were they got to *Constantinople*. From the month of *April* till *September*, they pertinaciously continued their Siege, and then despairing of success, departed to *Cyzicum*, where they wintered, and in Spring again renewed the War. And this course they held for seven years, as the Greek Annals tell us, and yet from them it appears, that in the fourth year a Peace was made. But at length their Courage was quite spent, and in great grief they retired, having lost a great multitude of their Men, after which followed the destruction of the whole Fleet, which was in the Winter season cast away near the *Syllæan* Promontory. There was a new Invention of Seafire, as they called it, which much helped the Defendants in the Siege. It would burn under the Water, being the Discovery of one *Callinicus*, an *Heliopolitan* of *Ægypt*, who fled with the Invention to the *Romans*, and of him was descended one *Lampras*, who made this artificial Fire in the days of *Cedrenus*. But while one Party of the *Saracens* thus employed themselves against *Constantinople*, another Captain of theirs, *Suphianus* the Son of *Aphus*, ingaged with the *Roman* Forces commanded by *Florus*, *Petronas* and *Cyprianus*, but to no other effect than that he lost thirty thousand of his followers. Within a year or two after the *Mardaitæ* entred *Libanus*, and seized on all that Tract lying between the Mountain *Taurus* and *Jerusalem*. They got into their

Approach *Thrace.*

Retreat, and the Fleet cast away.

Suphianus the *Saracen* defeated.

The Tract betwixt *Taurus* and *Jerusalem* seized.

their hands, the Watch Towers of *Libanus*; and upon News of the Exploit, such multitudes of Slaves, Captives and Inhabitants of the Countrey adjacent flocked to them, that in a small time they grew to many thousands.

8. These things so terrified the *Saracens*, that Judging verily, that they contended with Providence; and the *Roman* Empire was protected by Almighty God, they resolved to make Peace with the Emperour at any Rate. *Manias* therefore sends his Ambassadours offering very good Terms, and desiring a Treaty as to a way to an Accommodation. *Constantine* conceives it his Interest to close with them, and for that purpose appoints one *John* a Patritian, Sirnamed *Pitigandis*, or *Pitzicanda*, a Man famous for his Nobility and Wisedom, as his Commissioner Plenipotentiary to treat with them. In pursuance of his Powers he goes into *Syria*, where being Honourably received, he concludes and signs an Agreement to this purpose, that for thirty years there should be a Truce inviolably preserved betwixt the *Romans* and *Saracens*, in every which year successively, the *Saracens* should pay to the Emperour thirty thousand Pounds of Gold, fifty Captives, and as many choice Horses. This Treaty being ratified in the East, the Enemies in the Western parts grew sore afraid, as *Cajanus*, *Avarus* the Exarchs, and the *Castaldi*; and sending to the Emperour, purchased their Peace in the like manner as the *Saracens* had done, such Mutability is there in sublunary things, that these who are terrible to day, and seem to carry all before them, to morrow fail in their Course, and by some Accident or other change the Language of an imperious Conquerour, for that of a distressed Supplicant, and Tributary. But hereby was Peace restored both in the East and West, and the Emperour thought he had leisure to set himself to compose the Differences in the Church, which for many years had been much out of Order. Yet as there is nothing perfect in this World, no such rest, but is accompanied with disturbance; the year following, the *Bulgari* invaded *Thrace*, and defeated a considerable party that was sent against them. The Emperour who had lately the Honour to give, now must beg Peace, and thereby receives a notable Check in the Course of his Fortunes.

A Truce for thirty years made with the *Saracens.*

Which makes the Enemies of the Empire in the West to submit.

The *Bulgari* invade *Thrace.*

9. The very next year, some of these *Bulgari* separating from the rest passed *Danubius*, and seized upon certain Woods and Mountains. Against them *Constantine* himself went, with a good Fleet and a land Army; with which Preparations being affrighted at the first On-set, they fled and retired to a certain Fort, where the *Romans* were not able for the Difficulty of Access, to doe any thing against them. Hereupon they became more daring than ever, and it happened, that the Emperour being very ill of the Gout, retired into *Mesembria* a *Roman* Province, to make use of the Baths, leaving the siege to the Conduct of his Captains. A Rumour was hence raised, that the Emperour himself fled; and thereupon his Souldiers without any Cause begin to run away. This being perceived by the *Bulgari* out they issue, and giving them the Chace kill many in the Rere, which done they boldly enter the *Roman* Provinces, and return inriched with good Booty. *Constantine* then was glad to take up the Quarrel, and by a Tribute to make Peace with them, which being done, when all things were quiet at home, and no stirs likely to arise by such an Action, he deposed his two Brothers, and made his Son *Justinian* his Collegue in the Empire. After this, he lived Peaceably all his time, and died after he had Reigned seventeen years, being to be reckoned amongst the best Princes. *Justinian* his Son succeeded him according to his desire, though not at all comparable to him for Parts, nor indeed fit for so great an Employment; especially at this time, when the Empire was in so tottering a Condition. Yet such was God's Providence, that on so weak a Body, over which as infirm a Head was set, for some time no considerable Distemper seized, though for want of Conduct Foundations of great Disorders, might be laid for the time to come. In his first year, *Abimelech* Prince of the *Saracens*, who had succeeded *Manias* lately dead, not taking any occasion presented him by his Youth and Folly, sent and confirmed the Peace made his Father, and farther made a new Accord; that *Justinian* should repress the inrodes of the *Mardaitæ*, which were very troublesome to the *Saracens*, who for this Act of kindness should make a daily Payment to the Emperour of one thousand *Nummi*, an Horse and a Slave. To ratifie this Accord under hand and seal, *Paulus Magistrianus* was sent, and twelve thousand *Mardaitæ* were recalled from *Libanus*, to the utter Destruction of the *Roman* Power and Authority in those parts, as afterward it happened. For whatsoever the *Arabians* or *Saracens* held as far as from *Mopsuestia* to *Armenia* the fourth, was also harassed by the Inrodes of these *Mardaitæ*, that it became of no value, being deserted by the Inhabitants: But they being thus repressed, infinite loss hath the Empire continually sustained from the

Constantine buyes Peace.

Makes his Son *Justinian* his Collegue.

He dies.

Justinian his Successour not like him.

A new Accord made with the *Saracens*, to the loss of the *Romans.*

Incursions of the *Arabians*, to this very day, saith *Cedrenus*. *Justinian* being not above sixteen years old, he imputes it to his want of Judgment and Consideration, though it's a wonder he had no wiser Men about him.

10. The *Saracens* were however so wise, as both to procure this to be done, and to sit still till a very convenient time should come, that they could make a good use of this advantage. But in other places, the Fortune of the Empire seemed also to be Superiour to them, for in this first year of *Justinian*, *Leontius* was sent into *Armenia* with a power of Men; and having put to the Sword such *Saracens* as were there found, recovered the Countrey, as also *Iberia*, *Albania*, with *Hyrcania* and *Media*, which he subjected to Tribute, and brought vast sums of Money into the Emperour's Coffers. But see the issue, *Justinian* the following year makes a Progress into *Armenia*, and takes the *Mardaitæ* out of *Libanus*, breaking thus down the Brazen wall of his Empire in these Parts. Yet disarming himself in this manner, he had the Folly and Confidence to break the Peace, made lately with the *Bulgari*, and having had some Success against them and the *Sclavini* in Battel, came to that Madness, as to renounce the Truce made with *Abimelech*; who by this time had Composed all matters in *Arabia*, and brought every Man into Subjection to himself, so as to be ready for all Foreign opposition. Without any reason at all, he would send a Colony into the Island of *Cyprus* contrary to the Articles, and refused to receive such Money as *Abimelech* sent for payment of the Tribute; because it was not stamped with the Image of any Emperour, but it seems coyned after a new *Arabian* Fashion. For the Emperours, you must know, Challenged to themselves the sole Privilege of having their Names and Representations stamped upon all Gold Money, though upon cantoning the Empire into particular Kingdoms; the several Kings had e'er this begun to assume to themselves this Right of Coyning, as we formerly instanced in those of the *Franks*, out of the History of *Procopius*.

Leontius recovers several Countries in the East.

Constantine spoils all by his Folly.

Οὐδὲν δὲ ἧττον τὸ χρυσοῦ νομίσμα τὴν μορφὴν ἐπιτυπούμενοι, ἢ τὴν τῶν Βασιλέων Ῥωμαίων. *Zonaras Annal. Tom. 2. ad Imperium Iustiniani.*

11. For carrying on this War, he would not rely upon the *Roman* Legions, or the Forces already raised; but out of the choicest of the *Sclavini* whom he had taken, formed a new Army of thirty thousand Men, which he called his peculiar, or acquired People. The *Saracens* now with reiterated Prayers and Complaints beseech him, he would not break the League calling God to Witness, by the Interposition of whose most Sacred Name it had been confirmed. But he stopping his Ears against all their Messages, drew down his Forces toward *Sebastopolis* to begin War, which hearing, they met him e'er he could get into the Bowels of their Countrey, and with the Tables of the League carried as an Ensign on the top of a Spear, ingaged with him in Battel under Conduct of *Moamed*. In the first Encounter they had the worst, and still were like to have, if *Moamed* had not by his Tongue supplied the defects of their Hands. He sends to the Captain of the *Sclavini*, a Quiver over-laid with Gold, and by great Promises perswades him to revolt, and come over to him with twenty thousand Men. This addition to *Moamed's* former powers, cast the Balance quite on the other side, with such disadvantage that the *Romans* were not able to sustain the least assault, but fled away amain; and after a vast loss *Justinian* came to *Leucate*, where out of Rage he caused the rest of the *Sclavini*, that had continued with him, with their Wives and Children to be slain, and their Bodies cast into the Sea. But this Success of the *Saracens* got them such Reputation, that *Sabbatius* the *Armenian*, delivered *Armenia* instantly into their Hands, and the following year they subdued the inner part of *Persia*, called *Choresan*. *Moamed* to be revenged upon *Justinian*, and strike a Terrour into his People, invades his Dominions, taking with him the lately revolted *Sclavini*, by whose directions he harassed the Provinces, and after as much mischief done, as it lay in the Power of an Enemy to doe, returned home with a vast number of Prisoners.

Breaks the Peace with the *Saracens*.

They beat him in Battel.

Armenia delivered up to them.

And the Provinces wasted by them.

Ἐπεὶ κατὰ τὴν Λευκάτην ἐφίλησε, φησὶν ὁ Ζωναρᾶς, ὁ Κεδρηνὸς δέ, ἐν τῷ περὶ Νικομήδους λόγῳ.

12. *Justinian* in the mean time, as one not much concerned, was wholly intent upon Building, repaired the Walls of the Palace, and erected a stately Banqueting House toward the East, which long after retained his Name, being called *Justinianeum*. Surveyor of these Works he made one *Stephen* a *Persian*, principal of the Eunuchs, a man Cruel above Imagination, who beat and stoned the poor Labourers, without the least shew of Mercy, and proceeded to that Impudence, as to Lash with Thongs, *Anastasia Augusta* the Mother of the Emperour in his absence. If he so handled the Mother, doubtless he had some Confidence in the Humour and disposition of the Son, from which he could be secure of, or at least have great hopes of Pardon, or Impunity. And that the Son's disposition was Cruel, even beyond all bounds of Nature, was sufficiently evidenced in divers particulars. Such Persons he preferred, as were of the same Temper with himself, as appears not onely in

Constantine Cruel.

in *Stephen*; but *Theodotus* a Monk, whom taking out of his Cell he made his General *Logotheta*. This Fellow punished many of the Nobility without any Fault at all committed, he sold their Goods, and took delight to hang them up by the Heels, and then cause Straw to be set on fire under their Heads to torment them with the smoak. The Prefect of the City, by command of the Emperour also, thrust many into Prison without any Reason shewn, which raised extraordinary Hatred in the minds of the Citizens against their Prince. But he took all manner of ways to increase it. There was a Church dedicated to our Lady called *Metropolitana*, which stood very near the Palace: This he would have pulled down, and a Theatre or meeting place for the *Veneti*, to be built upon the Ground; he therefore required the Patriarch that he would say Prayers, that the Church might be demolished. *Callinicus* the Patriarch answered with Tears, that they were wont to pray at the Building, but not at the demolishing of a Church, but constrained to doe it, he used this Expression: *Glory be to God, who suffereth all things, both now and to all Eternity*, and then was the Church pulled down, and a Theatre raised; the Emperour causing another Church to be erected in another part of the City, bearing the same Name of *Metropolitana*.

He pulls down a Church to build a Theatre.

13. *Justinian* having by these Courses incurred the extreme Hatred of the People, which was likely, and that in a short time to produce some dreadfull Effect, resolved to be before hand with them, and gave Order to *Stephen* a Patritian, and *Rufius* an Officer in the Army to make a Massacre, beginning with the Patriarch. At this time it happened, that *Leontius* a Patritian, who having been general in the East, had managed his matters with very good Conduct and Success, but had been detained by the Emperour in Prison, two or three years, upon Suspicion that he designed too great things for himself, was suddenly set at Liberty and made General of *Greece*, with Orders to ship his Men and be gone that very day. But staying all that Night for a Wind, he had an occasion to Discourse with his Friends about his own matters; of whom several of them would undertake to foretell, that the greatest Fortune wouldat length befall him, two Monks especially, *Paul* a great Astronomer, and *Gregory* a *Cappadocian*. He expostulating somewhat with them, that they should lead him into a Fools Paradise, by promising such great matters to a Prisoner, and one that every hour expected the Messenger of Death; they all desired him not to let slip the present opportunity, than which he could not well desire a better, all the minds of the Citizens, being so alienated from the present Prince: He was so overpowered by their importunate requests, that taking with him his own Souldiers, he went in great silence to the Court of Guard, where knocking at the Gate, he pretended the Emperour was come about some urgent business, and so causing the Officer to admit him, he took him into Custody, then opening the Prisons, he armed such Souldiers as had therein been long detained, and leading them into the *Forum*, made Proclamation that all that were Christians should meet together, at the Church of St. *Sophia*. Thither the multitude ran in Confusion, to whom the Patriarch said, that this was the day of the Lords making, and the People cryed out, that the *Bones of* Justinian *should be digged up*; meaning, it seems, that they should pull him out of his Hole, where he had buried himself in all Laziness and obscurity. They all ran to the *Hippodrome* or *Circus*, and thither by break of day, caused *Justinian* to be brought, whose Nose they cut off, and then banish him to *Chersona*, after he had Reigned near ten years. *Theodotus* the Monk, and *Stephen* the *Persian*, with Ropes tyed to their Feet, they drag through the Streets to the *Forum of the Oxe*, and there burn them to Ashes. Then with lucky Acclamations they salute *Leontius* Emperour.

Gives orders for a Massacre.

Ἀναιρεθῆναι τὰ ὀστᾶ Ἰουστινιανοῦ.

He is deposed.

Leontius made Emperour.

14. In the first year of *Leontius*, all things were in repose. In his second, *Alidis* the Successour it seems of *Moamed* (who in the last year of *Justinian* had made great Depredations in *Armenia*) invaded the Provinces, and returned with great plunder. *Sergius* also the Patritian revolted and betrayed *Lazica* into the hands of the *Arabians*. The year that next followed, the *Saracens* making another Expedition over-ran *Africk*, which *Leontius* hearing, sent *John* a Patritian a Man of great Valour, with all the Ships he could make to drive them out, and that with such Success, as he retook all the Castles and strong Holds of the Countrey, and sending the Emperour the News, he wintred in these parts. But the Prince of the *Arabians*, their *Protosymbulus*, or President of their Council upon notice hereof, with a greater Fleet than ever comes into *Africk*, and easily beats out *John* again, who not able to make any considerable opposition takes ship for *Constantinople*, to require more Forces. But the Navy touching at *Crete*, the Officers began to enter into new Councils. They thought it would much reflect on them, to quit

The Provinces invaded, and *Lazica* betrayed.

Africk over-run, regained, and retaken.

Africk in this manner to the Enemy, and fearing the Indignation of *Leontius*, they perſwaded the Seamen to revolt from him, and ſalute Emperour, one *Apſimaras*, the *Drungarius* of the *Cipyrrhœotæ*, whoſe Name they changed to *Tiberius*. This new Emperour comes then with all his Subjects (as yet) to *Cycæ* the Port of *Conſtantinople*, and found the Favour to be admitted, by ſome Countrey Magiſtrates at the Wall of *Blachernæ*, then ſeizing on the City, he cut off the Noſe of *Leontius*, and cauſing him to be kept in a Monaſtery, baniſhed his Friends after he had ſeized on their Eſtates. This Concluſion had the Reign of *Leontius*, after it had laſted ſcarce three Years.

Leontius depoſed by *Apſimarus*, who ſeizes on the Empire.

15. *Apſimarus* or *Tiberius*, thus ſeized of the Empire, immediately made *Heraclius* his Brother General of all the Forces, and ſent him into *Cappadocia*, to watch the motions of the *Saracens*. He taking his opportunity invaded their Territories, and piercing into *Syria* as far as *Samoſata*, waſted all before him, and ſlew as was reported two hundred thouſand of the *Arabians*, leaving a great Terrour of his Name behind him. In the mean time *Abderachman* riſes in *Perſia*, and expelling *Chaganus*, makes himſelf King of that Countrey in his room, but through the aſſiſtence of *Moamed*, whether the ſame we laſt mentioned, or another is uncertain, he recovered his former Eſtate, and *Abderachman* loſt his Life, and Fortunes together. In the third year of *Tiberius*, *Abdelus* fell upon the *Roman* Territories, and beſieged *Antaradus*; but neither his Force nor Arts prevailing, he returned home and built *Mopſuheſtia*, wherein he left a Garriſon. In his fourth, *Boanes* Sirnamed *Heptadæmon* betrayed the fourth *Armenia* to the *Arabians*. And the Emperour baniſhed *Philippicus* a Patritian the Son of *Nicephorus* into *Cephalenia*, becauſe he had ſaid he dreamed, that his Head was over-ſhadowed by an Eagle, as if the Empire was thereby portended to him. But, what was of more Conſequence, in the year that next followed, the Nobility of *Armenia* roſe up againſt the *Saracens*, and killing all they could light on, ſent to *Apſimarus* for his aſſiſtence againſt that Nation; but *Moamed* timely comes in, and after great ſlaughter on both ſides recovers *Armenia*, and having got together the Nobility that remained, burnt them all alive together. But that the *Saracens* might not think to carry all before them without controll; *Azar* invading *Cilicia* with ten thouſand Men, *Heraclius* the Emperour's Brother light upon him, and killing moſt of his Followers, ſent the reſt in Chains to *Conſtantinople*.

Heraclius his Brother makes great ſlaughter of the *Saracens* in *Syria*.

The Fourth *Armenia* betrayed to the *Saracens*.

Various Succeſs.

16. Yet did *Azidas* the Son of *Chumeus*, the following Summer make War againſt *Cilicia*, and taking the Caſtle *Siſium*, demoliſhed it. But *Heraclius* ingaging with him in a Bloudy Battel, ſlew twelve thouſand of his *Arabians* in the place. In the mean time *Juſtinian* living at *Cherſona*, was ſo Confident as to affirm, that for all this one day he ſhould recover his former Dignity, which ſo alarmed the Inhabitants of the place, that they reſolved either to kill, or to ſend him to the Emperour. He perceiving their intentions, ſtole out of the Monaſtery, and coming to *Daras* deſired to have a meeting with *Chaganus* the Prince of the *Chazari*; who received him Honourably, and gave him in Marriage his Siſter *Theodora*, perſwading them to go and live together at *Phænogorea*. *Apſimarus* could not be long ignorant of ſuch a matter, which as ſoon as he had diſcovered he ſent to *Chaganus* with vaſt Promiſes, inciting him either to deliver him up alive, or to ſend him his Head. *Chaganus* promiſed to doe one of them, and ſent a Guard to *Juſtinian* under Pretence of ſecuring him from all violence, that might be offered him by the Inhabitants of the Countrey; but with ſecret Inſtructions to kill him, when ever they ſhould receive from him ſuch Orders. The deſign was revealed by one of his Servants to *Theodora*, and ſhe acquainted therewith her Husband, who calling the Guards to him killed them, and then ſending her back into *Chazaria*, he fled to the *Straits*, and there taking ſhip came to *Symbolum* near *Cherſona*, whither upon notice came to him, *Baſbacurius* his Brother and others, with whom he ſailed to the Watch Tower of *Cherſona*, thence to *Necropula* and the *Straits* of *Danaprium*, and *Danaſtrium*. Here he was ſeized with ſuch a ſtorm, that all that were with him gave themſelves for loſt; whereupon *Myaces* one of his Domeſticks told him, that he ſaw plainly they were in great Danger of Death, and therefore prayed him to make a Vow, that if God Almighty would but reſtore him to his Throne, he would not revenge himſelf upon his Enemies, to which he anſwered in Anger; Here let God drown me, if I ſpare any of them. Then coming to the *Danube*, he ſent to *Terbelis*, King of the *Bulgari* to deſire aid, offering him great rewards with his Daughter in Marriage. *Terbelis* with an Oath undertook to aſſiſt him, and armed the whole multitude of the *Bulgari* and *Slavi*, with which *Juſtinian* went to *Conſtantinople*. Three days he treated with the Inhabitants, till perceiving he was more

Juſtinian eſcapes out of the Monaſtery.

more and more affronted, with a few *Romans* he paſſed up the Aqueduct into the City, and digging through it, poſſeſſed himſelf of the Palace in *Blachernæ*, which being once known, *Apſimarus* with a great ſum of Money after he had Reigned about ſeven years fled to *Apolloneas*, and ſo *Juſtinian* recovered his former Power.

And recovers his Dignity.

17. He diſmiſſed *Terbelis* with great Gifts and Royal Furniture, and beſtowed on him part of that *Roman* Countrey, called afterward *Zagoria*. *Apſimarus*, *Leontius* and *Heraclius*, being betrayed into his hands, he put to Death the two former, after he had Ignominiouſly led them as in Triumph through the City; and had in the Shews of the *Circus* ſet his Feet upon their Necks; which while he did, the unconſtant multitude repeated: *Thou ſhalt tread upon the Adder and Baſiliſck*, and that which follows. The Eyes of *Callinicus* the Patriarch he pulled out of his Head, and then baniſhed him to *Rome*, preferring one *Cyrus* to his place, a Monk of the Iſland *Amaſtris*, becauſe he had foretold his Reſtitution. Then in his revengefull humour, did he proceed to the ſlaughter of an innumerable Company of Citizens and Souldiers, which ſtruck all Men with a Pannick fear. He ſent for his Wife, and *Tiberius* a Son lately born to him out of *Chazaria*, and ſet the Crown upon both their Heads. But in the third year of his Reſtauration, forgetting the Benefits he had received from *Terbelis*, he broke the League made betwixt the *Romans* and *Bulgarians*; and with a Party of ſtout Horſe, and a ſtrong Navy invaded *Thrace*. But his Men either ſo Cowardly or unskilfully demeaned themſelves, that they were quite beaten, and he was forced to betake himſelf to his Rampart, where being beſieged three days when he ſaw the Enemy very pertinacious, he Hamſtringed all his Horſes, and getting his men aboard, with great Infamy returned home. Here he had not long been, when calling to mind how thoſe of *Cherſona* the *Boſphorani*, and others had laid in wait for him; he Rigged every ſhip he could make, and on this Fleet ſent an Army with expreſs Order to kill and deſtroy thoſe that lived in theſe parts, and to be ſure not to leave one of them alive.

His Cruelty.

Breaks the Peace with his Reſtorer, and Ignominiouſly beaten.

Maliciouſly Cruel againſt thoſe of *Boſphorus*.

18. His Orders were executed as far as poſſible, the poor People not being in the poſture of defence, as utterly ſurprized, onely the Children they killed not; but kept them for Slaves. Two and forty of the principal Men, they ſent to the Emperour. Some they Roaſted alive, and others they caſt into the Sea. *Juſtinian* was Mad, when he heard they had ſpared the Children, but was comforted when he heard that, no fewer than ſeventy three Thouſand were deſtroyed. But imagining he had not yet done enough, though he had alſo killed the Children, he ſends his Navy the ſecond time with Charge to lay all the Countrey waſte, and deſtroy what ever was remaining of the People. The remainder of the Nation ſeeing there was no end of their Miſeries, ſecured themſelves in their Forts as well as they could, and renouncing *Juſtinian*, ſaluted Emperour *Philippicus* the Son of *Bardanes*, who had been baniſhed by *Apſimarus* to *Cephalenia*, but now was recalled, and on his way to *Conſtantinople*. *Elias* the Prince of the Countrey had a great hand in this Election; whereat *Juſtinian* upon notice was ſo inraged, that he killed *Elias* his Children, then being at *Conſtantinople* in the Lap of their Mother, and forced her to lye with an *Indian* his Slave and Cook. Then ſent he his Fleet the third time, with battering Rams, and all Inſtruments of Hoſtility to complete the Ruine of this People, which had been perfected, but that the *Chazari* upon their deſire came in to their Relief; who made ſuch effectual oppoſition, that the Army not able to doe that for which they were ſent, and fearing the moſt Savage cruelty of *Juſtinian*, revolted alſo from him, and joyned with the other in the choice of *Philippicus*, whom, being retired for his ſafety to *Chaganus*, they demanded might be ſent to them. *Chaganus* demanded Caution, that they would not betray him, and required a piece of Money from every Souldier, which being given, he diſmiſſed *Philippicus*, and they willingly ſubmitted to him as to their Prince.

Who ſalute Emperour *Philippicus*.

To whom *Juſtinian*'s Souldiers revolt.

19. *Juſtinian* when the Fleet was ſo ſlow in returning, gueſſed what was the occaſion; and getting about him ſome *Thracians* and others, went as far as *Simope*, whence perceiving that it ſailed toward *Conſtantinople*, for Grief and Indignation he rored out, and made what haſte he could to get thither, but *Philippicus* prevented him, and then he retired to *Damatrya*. *Philippicus* preſently ſent *Elias* againſt him, and *Maurus* a Patritian to ſeek out his Son *Tiberius*, whom he found fled with his Grandmother *Anaſtaſia* (for his Mother was dead) to a Church in *Blachernis*, and there Graſped about the Holy Table; but they pulled the Child thence, and dragging him to the little Door of the Gate of *Callinicum*, there laid him on the Threſhold and cut his Throat like a Sheep. *Elias* by Promiſe of ſecurity and

and other mattets, drew all *Juſtinian*'s followers from him, and being thus deſerted, he took him in great anger by the Throat, and drawing the Scimiter which hung at his ſide, therewith cut off his Head, which he ſent to *Philippicus*, and placable *Juſtinian*, in the eighth year after his Reſtauration. *Philippicus* the Son of *Bardares* as *Zonaras* calls him, or firnamed *Bardares* as *Cedrenus* will have it, was eloquent in Diſcourſe, and once had the eſteem of a prudent man, but carrying himſelf lightly and careleſly, and being of an evil Life, he quite loſt all his Reputation. Perſwaded by an Heretical Monk, who had foretold him he ſhould be Emperour; he ſet himſelf to aboliſh the Decrees of the ſixth *General Council*, with which matters while he buſied himſelf, the *Bulgari* without any Noiſe made an Invaſion as far as to the *Golden Gate* of the City, and having killed and taken Captives an infinite number of People, returned home without any oppoſition. This happened in the firſt year of his Reign. In his ſecond, when the *Praſini* had got the better in the *Circus*, it pleaſed the Emperour to make his Entry on Horſeback, to Bathe himſelf in the Bath of *Zeuxippus*, and to Dine with ſome of the moſt Noble Citizens, or as others ſaid, with thoſe that were Victours in the Sports. As he took his reſt at the Noon time of the Day, one *Rufus* Prefect of the *Opficiani*, with a company of *Thracians* entring by the *Golden Gate* broke into the Palace, and thence taking him out into the Armory of the *Praſini* there pulled out his Eyes, the thing being utterly unknown. But when it was grown publick, the day after being Eaſter day, the People met together in the Great Church, and *John* the Patriarch Crowned Emperour, *Artemius* the principal Secretary, giving him the name of *Anaſtaſius*. This happened after *Philippicus* had Reigned but one year and ſix months.

Juſtinian is ſlain.

Philippicus ſucceeds.

His Eyes pulled out.

Artemius the Secretary made Emperour.

20. *Artemius*, or *Anaſtaſius* was a moſt learned man, and extraordinary fit for buſineſs, and the management of the greateſt Affairs. He made General of the Horſe one *Leo* an *Iſaurian*, a very fit man, and another as fit as he, he ſet over civil Matters, ſo that all his time, he had not much to concern himſelf about. Of *Theodorus* and *Georgius* both Patritians, he cauſed the Eyes to be put out, and confined to *Theſſalonica* for his better ſecurity. The *Arabians* now making War upon the Empire both by Sea and Land, and a report going that they would fall upon the City, he cauſed to be Built all the light Ships his Arcenals could furniſh, fortified all the Walls and Places at Land, and filled the Granaries with Corn. But being informed that the *Saracens* Sailed into *Phœnicia* with a ſtrong Fleet, there to cut down Timber, he alſo ſet out a Navy to deſtroy the proviſion that they made, commanding the Provincials alſo to ſend their Ships to the General Rendezvous at *Rhodes*, and joyn with the main Fleet, which he would have Commanded by *John* the Deacon of the Great Church, and the General *Logotheta*. Being all aſſembled at *Rhodes*, the Admiral commanded them to Sail, but the Seamen, and eſpecially the *Opficiani* refuſed to obey Orders, and when *John* more ſeverely than prudently animadverted upon them, they fell into a plain Mutiny and ſlew him, and making an halt after a Conſultation, ſome returned home, and others to *Conſtantinople*, who in their way when they were come as far as *Adramyttium* ſaluted Emperour againſt his will, one *Theodoſius* a Publican, or Collectour of the Revenue, a man utterly unacquainted with affairs of State. *Artemius* having notice of the Revolt, fortifies *Conſtantinople* and goes to *Nicæa*. For ſix months the Fleet of *Conſtantinople*, and that of *Theodoſius* skirmiſhed by times. *Theodoſius* at length goes into *Thrace*, and there making great Levies, returns with a powerfull Army to the City, where he corrupted thoſe that watched at the Wall and got in. The City is Plundered for the pertinacious humour of the Inhabitants, and the friends of *Artemius* ſecured, who being brought to him ſtill lying at *Nicæa*, upon ſecurity given for his Life, he entred into Religion, taking the Habit of a Monk, and was conveyed to *Theſſalonica*, after he had enjoyed the Title of Emperour near about two years.

The Fleet revolts and ſalutes *Theodoſius* Emperour.

Artemius depoſed.

21. But *Leo* an *Iſaurian*, Captain General of the Eaſtern Forces, refuſed to ſubmit to *Theodoſius*, having at his Devotion *Artavaſdes* an *Armenian* the Captain of his Nation, to whom he had promiſed his Daughter in Marriage. At the perſuaſion of *Maſalnias* the Prince of the *Saracens*, who had begun to make War upon the Empire, he took the Purple upon him, and with a great Army marched to *Nicomedia*, where he fought with the Son of *Theodoſius*, and defeating him, took both him and the cheifeſt of his Father's Friends Priſoners, and ſo proceeded till he came to *Chryſopolis*. *Theodoſius* ſaw there was no contending, and employed the Patriarch *Germanus* to *Leo*, from whom having obtained promiſe of Impunity, he reſigned

Leo the *Iſaurian* takes the Purple upon him.

Theodoſius reſigns.

ſigned the Imperial Dignity, and both he and his Son were ſhaven and entred into Orders, after he had Reigned but one year. He died afterward at *Epheſus*, where he was Buried in the Chapel of St. *Philip*, with this word onely ὑγίεια, or Health ingraven on his Tomb. But how great a friend ſoever *Maſalnias* the *Saracen* was to *Leo*, it ſeems he was no friend to the Empire, for he ſet upon *Pergamus* and took it, the Inhabitants by the juſt Judgment of God being delivered into his hands as our Hiſtorians obſerve. For perſwaded by a certain Magician they ripped up a Bigbellied Woman, and ſeething her fruit in a Kettle, as many as would fight againſt the Enemy, dipped the ſleeves of their right Armes in this execrable Sacrifice.

The *Saracens* take *Pergamus*.

22. *Leo* upon the reſignation of *Theodoſius* was owned for Emperour, and took the Government upon him, on the eigtth day before the Calends of *April*, in the fourteenth Indiction, the third year of *Gregory* the Second, Biſhop of *Rome*, and the ſeven hundred and ſixteenth year of our Lord. He was alſo called *Conon*, and ſirnamed *Iconomachus*, becauſe he was againſt the worſhipping of Images. When he was young, there were certain Jews born at *Laodicea*, a City of *Phœnicia*, who pretended to foretell that *Izeth* King of the *Arabians* ſhould Reign over that Nation forty years, but he died ſoon after, and his Son ſought for the Impoſtours to have them puniſhed. They fled to ſave their Lives into *Iſauria*, where meeting with *Leo* then a very Youth, but tall and beautifull at a certain Well, where he was ſet at Dinner, (for he got his living hardly, and had now unladed his Beaſt to give him refreſhment as well as himſelf,) they propheſied that one day he ſhould ſway the Sceptre of the *Roman* Empire. He expoſtulated with them for uttering ſuch a ſtrange Conceit, but they affirmed it would be ſo, and made him ſwear, that in caſe it ſhould come to paſs, he would grant them whatſoever they deſired. Not long after he was taken into the Army by *Siſinnius* the Patritian, and was made within a while a *Spatharius* by *Juſtinian*, and at length either by *Anaſtaſius* or *Theodoſius* was created General of the Eaſt, and ſo in the method and courſe lately mentioned came to be Emperour. In his ſecond year *Soliman* with an Army invaded *Thrace*, but died within a while, and *Humar* was *Ameras* or Prince in his room, who loſt a great multitude both of his Men and Cattel by the extremity of the Winter. In Spring following *Suphiam* from *Ægypt*, and *Izeth* from *Africk* in great Fleets paſſed up to *Conſtantinople*, with an innumerable company of men and quantity of Arms, and the City they beſieged two years, but then all the Ships were partly ſunk by Tempeſts, and partly burnt, and all the men periſhed together with their Veſſels.

Leo owned Emperour.

From what and how he aroſe.

Cedrenus.

Spatharium Cedrenus eſſe Romanis Corporis cuſtodem docet σωματοφύλακα, *Spathariorum Principe à Curopalate inter Magiſtratus Aulæ numeratur, qui* & Imp. ἢ σωματοφύλακα vel enſem geſtare principem genere proximum ſcribit.

The Fleet of the *Saracens* loſt before *Conſtantinople*.

23. Yet did *Mardaſane* another *Saracen* Captain from *Pylæ* or the Straits, make another excurſion as far as *Nicæa* and *Nicomedia*, but were ſent back with great loſs received from the *Romans*, who after the manner of the *Mardaitæ* lay in Ambuſh and intercepted them. At this time ſo great a Famine fell upon thoſe *Arabians*, that it compelled them to eat up all their Cattel, and after that to fall one upon another, and feed on Excrements, with the roots of Trees and other unnatural things. And this was followed by ſo great a Plague, as ſwept away an infinite number of men, which were great rebukes, and able if not to deſtroy, yet to weaken and render contemptible very powerfull Nations, yet ſtill they flouriſhed every day, made progreſs in the glory of Arms and Conqueſts, and became more renowned by the poſſeſſion of many, the moſt conſiderable Provinces and Countries of the World, amongſt which they ſet footing in *Spain* about this very time. Not long after, the *Bulgari* made War upon them, and ſlew no fewer than two and twenty thouſand, and many other Calamities followed; but they weathered all thoſe Difficulties, and arrived at that Power and Fame in the World, which was included ſecretly in the promiſe made to *Abraham* about *Iſmael*'s Poſterity. We have heard what ſucceſs they had in beſieging *Conſtantinople*, but to another thing of conſequence this Siege gave occaſion. *Sergius*, chief of the *Spatharii* and Governour of *Sicily*, hearing the News, ſaluted Emperour one *Baſilius* the Son of *Onomagulus* changing his Name into *Tiberius*. He diſpoſed of places, and ordered matters thereabout as he pleaſed, but *Leo* having notice, ſends *Paul* one of his Domeſticks to chaſtiſe him, who coming into the Iſland called the People together, and reading a Writing which expreſſed the thoughts and intentions of the Emperour, ſo improved the opportunity he had got of their Attention, that with lucky acclamations they owned *Leo* for their Prince, and renounced the Title and pretences of their new Upſtart, whom with his Relations they delivered up bound into his Hands. He cut off their Heads and ſent them to the Emperour, then by promiſe of pardon brought in *Paul*, who had been the Authour of the Revolt. And ſo the

Another miſcarriage.

Great difficulties the *Saracens* grapple with, yet overcome all.

A Rebellion in *Sicily* ſuppreſſed.

so the West was again setled in Obedience. These things happened about the first and second years of *Leo*. In his third his Wife *Maria* brought him a Son whom he named *Constantine*, and the People firnamed *Copronymus*, because he bewrayed the Font at his Baptism, which was taken as a sign of much mischief he would doe to the Church. The chief of the Nobility and Senate were his Godfathers.

Constantine Copronymus born.

24. The same year *Artemius* living at *Constantinople*, being persuaded by *Nicetas Xylinites* a man of great Authority, went to the *Bulgari*, and raising an Army amongst them came against *Leo* to *Constantinople*, but the Citizens refusing to receive him, the *Bulgari* delivered him up into the Emperour's hands and departed home; *Leo* put both *Artemius* and *Xylinites* to Death, confiscated also the Estate of the latter for he was very rich, and caused to be Executed very many others that were of the Party, amongst whom the Archbishop of *Thessalonica*; neither did such as obtained mercy to live, escape utterly without Punishment, for many he chastized by cutting off their Noses, and others he sent into Banishment. Having passed the danger of this Conspiracy, he thought of Establishing the Empire upon his Posterity, causing *Germanus* the Patriarch to Crown his Son now scarcely a year old. While these things are in hand at *Constantinople*, *Humar* the *Ameras* or Prince of the *Arabians* leaves this World, after he had Governed eleven years and four months and his Principality to *Ized*. Much about the same time another *Ized* firnamed *Mualabis* set up for himself in *Persia*, and drew in great numbers to defend him, but the *Ameras* made War upon him, slew him and recovered the Countrey.

Artemius put to death for Treason, with his Complices.

Young *Constantine* Crowned.

Leo the Emperour from this time forward set himself to remove Images from Churches, and much stir arose upon that occasion, insomuch as *Gregory* the Bishop of *Rome* rebelled against him, and making a League with the *Franks*, stopped the Revenue which had formerly risen to the Emperour out of *Italy*. While these contentions were rising to an height, in the tenth year of his Reign *Masalmias* takes *Cæsarea* in *Cappadocia*, and a great Plague rages in *Syria*. In the Summer of the same year, a strange thing happened betwixt *Thera* and *Therasia*, two of the Islands *Sporades* of the *Ægean* Sea, a great smoak for many days rising from the bottom of the Sea, like to that of a Furnace, which thickning by degrees, at last grew to perfect Stones resembling the Pumice, which covered not onely the Water it self, but in a manner all the continent of *Asia Minor*, *Lesbus*, *Abidus* and the maritime parts of *Macedonia*. In the middle of the smoak a new Island arose out of the Sea, and joyned it self to *Hieria*, even as *Thera* and *Therasia* had formerly appeared on a sudden, where nothing but water had been seen before.

Gregory Bishop of *Rome* Rebells against the Emperour.

Wonders in the *Ægean* Sea.

Ἀπορπίσας τὰς εἰκόνας, ἐπὶ τῷ Βασιλέως ὑπεκόπης ἐλέγετο. *Zonaras.*

25. Whether those disturbances in the Earth and Air had any influence upon the brains of such as inhabited the Islands *Cyclades* we know not, who grew so hot upon the Emperour's War against Images, that they would needs joyn themselves to the weaker side, and making up a Fleet amongst themselves, undertook an expedition against *Constantinople*, but by artificial fire they and all their Ships perished together. In the mean time *Haumar* with fifteen thousand men lightly Armed, made an excursion into the *Roman* Provinces, and besieged *Nicæa* the City of *Bithynia*; where *Manias* with no fewer than eighty five thousand joyned with him, and a long time they besieged the City, but it was protected by apparitions of Saints, as those who wrote in later Ages do tell us. Whether they were discouraged from this ill success or no we know not, but about three years, for any thing that appears to us, the *Saracens* continued quiet till the fourteenth of *Leo*, when *Masalnias* made another Inrode into the Provinces, and coming into *Cappadocia*, took by Strategem the Castle of *Charsianum*. At the same time the Emperour's affairs were in no good condition in *Italy*, where, besides the Revolt of *Rome*, and the loss of his Tributes, there was no good Correspondence betwixt his Exarch of *Ravenna*, and *Luithprand* the King of the *Lombards*. But he so ordered the matter, as to bring this King to his beck, and enter into a strict League and Alliance with him, the conditions whereof were these, that *Leo* should assist *Luithprand* in subduing the Dukes, or the petty Princes, and so promote him to the Monarchy of the *Lombards*, and he on the other side, should use his utmost endeavour to reduce the City of *Rome* to the Emperour's Obedience, which yet could not be effected according to their desires, though *Eutychius* the Exarch, and *Gregory* the *Roman* Bishop were reconciled, who had so far disagreed formerly, that the Life of the Prelate was exceedingly endangered.

Rebels perished by artificial fire.

More Inrodes of the *Saracens*.

Agreement between the Exarch of *Ravenna*, and the King of the *Lombards*.

26. *Leo* being rid of the troubles of the *Lombards*, with whom all things seemed now to be settled, bent his utmost endeavours to suppress the Worshippers of Images, and to the establishment of his Family. He procured the Daughter of *Chaganus*, the King of the *Scythians*, to be given in Marriage to his Son *Constantine*, after she was first christened, and named *Irene*. Against the revolted Bishop and City of *Rome* he sent a very considerable Fleet, which perished by Tempests in the *Adriatick* Sea. He laid heavy Impositions upon the People of *Sicily* and *Calabria*, to supply his empty Coffers, seized on the Revenues which belonged to some Churches, and *Rome*, and caused Male Children, assoon as they were born, to be cessed. In the mean time, and afterward, *Suleiman*, the Son of *Isam*, invades the Provinces bordering on the Dominions of the *Saracens*, and wastes all with Fire and Sword, carrying along with him in his Expeditions one that called himself *Tiberius*, the Son of *Justinian*, whose Title he advanced against that of the Emperour. In the three and twentieth Year of *Leo*'s Reign, with no fewer than ninety thousand Men, he fell upon the Towns and Castles of the East, and having taken many of them, returned home with his Prisoners and Booty without any disturbance. These invasions of the *Saracens* sorely afflicted the Eastern Parts, and that the more Western might have their share also of misery, and feel the inconstancy of all humane Comforts, as well as their Neighbours, in the last Year of *Leo* a most dreadfull Earthquake falls out at *Constantinople*, which overturns many Churches, Monasteries and private Houses, and buried multitudes of Men, Women and Children in the rubbish. Several Statues of ancient Emperours it removed from their *Bases*, as those of *Constantine* the Great, *Theodosius*, *Arcadius*, and others. In *Thrace* also and *Bithinia*, several dreadfull Effects of this Concussion of the Earth were to be seen. For besides many Towns and Castles, *Nicomedia*, *Prænetus* and *Nicæa* perished, with many Inhabitants. The Sea was so much disturbed with these subterraneous Vapours that thus disquieted the World for eleven Months together, that it was driven out of some of its ancient Possessions, and forced to make bold with grounds that lay most obnoxious to its violence in other places.

Leo scrapes up Money.

The *Scythians* invade.

A dreadfull Earthquake.

27. This so publick and a great Calamity, against the effects and terrour of which the Emperour should have found out some comfort and supply, he turned to his own Lucre, and the greater disturbance and oppression of the poor People, if our Annalists may be credited. He dissuaded them from repairing the Walls of their Towns, but laid a Tax upon them, which being, as they thought, onely designed for this present occasion, was (as oftentimes it happens that an Imposition imposed lasts longer than the cause that procured it,) continued upon them and their Posterity. Not long after this *Leo* dies after he had reigned twenty five years, two months, and twenty days, and leaves *Constantine* his Son, and Collegue, to the sole possession of the Empire. He as willing to keep and preserve to his own Family what was left him, in his first Year marches against the *Arabians*, and as he was in his way, studies how to prevent the designs of all Competitours. He had a Brother-in-Law whom he most feared, one *Artabazdus*, who married *Anne*, the Daughter of *Leo*, and being sometime Governour of *Armenia*, assisted him much in obtaining the Empire. *Constantine*, to make sure work of it, that the Empire might not be transferred from the one Family into the other, resolves first to make away his Sons, whom he kindly invites to his presence, desirous to see them as his Nephews. But the old Man had smelt out the design, and resolving to be beforehand with him, falls upon him at unawares, kills several of his Friends, and forces him to fly for his Life to the City *Amorium*, where, with great promises, he persuades *Longinus*, the Captain of the East, saith *Cedrenus*, or *Lacinus*, the Captain of the *Thracian* Troops, as writes *Theophanes*, or both, as appears from *Zonaras*, to undertake his Protection against his Brother.

Leo makes an advantage of it for getting Money, and dies.

Constantine reigns.

28. In the mean time *Artabazdus* sends to make *Theodorus* the Governour of *Constantinople* of his Party, one *Athanasius*, a Silentiary, who finds him pliable enough, and by telling a Lye, that *Constantine* the Emperour was dead, easily persuaded the People to own *Artabazdus* for their Emperour, whom they as much extoll as a pious and orthodox Prince, as they detest and revile him whom they vainly supposed to be out of all possibility of revenging himself upon them. All things seeming now to be clear, and *Anastasius* the Patriarch, who formerly had sided with *Leo* against Images, but now, to curry favour with the rising Sun, reviled both him, his Son, and his Opinions, persuading all Men to receive and own him, *Artabazdus* enters *Constantinople*, and the first thing he does, he seizes on the Sons of *Constantine*, then makes them be shaven, and clapt up in close custody. But the cheat of *Constantine* being dead could not long continue, and possibly the Discovery might have a quite contrary Effect upon the humour of the inconstant multitude. To prevent all such dangers an expedient is found out by the Patriarch, who most solemnly swears, that *Constantine* had uttered most horrid Blasphemies against our

Anastasius usurps.

Saviour, as that he was not the Son of God, but born after the same manner of his Mother *Mary*, as *Mary* his Mother had born him. The People, by this Deposition of the Patriarch, was so moved, as to depose *Constantine*. Now are there two Emperours. *Constantine* is still living in *Armenia*, and *Artabazdus* reigns at *Constantinople*, whereupon such a Civil War arose, as, if *Cedrenus* should be credited, the like never happened since the beginning of the World.

The People depose *Constantine*.

Τότε τῆς ἑσπερίας ἀρχὴν ἔχειν πάντας ἔδει. ὑπήκουον δὲ καὶ τοῖς ἔθνεσι πάντες. *ad Ann. 2. Constantini Copronymi.*

29. If so, the more to blame he, and other Historians, who give us such a small scantling of such passages as deserved to be related in intire Volumes. This they tell us, that *Artabazdus* being to march against the Emperour, caused first *Nicephorus* his Son to be crowned at *Constantinople*. That having made all preparations possible, yet he had the worst in his attempts upon *Constantine*, and at length was forced both with loss and disgrace to *Constantinople*, where he sent *Nicetas* the younger to try if he could have any better success; but he came off with the same disadvantage, and *Constantine*, as it concerned him, improved his Victories, and marched up to the City, which he straitly besieged in the month of *September*, at the beginning of the twelfth Indiction, long it was not e'er the besieged, who made little or no preparations for a Siege, were sore distressed with Famine, which caused *Artabazdus* to send out *Anastasius*, one of his Secretaries, and *Artabazdus*, the *Comes Domesticorum*, to procure Corn, and other necessaries; but going by Sea, they fell into the Fleet of *Constantine*, who commanded their Eyes to be put out. Thus succeeding not, *Artabazdus* makes a vigorous Sally, but still came off very disadvantageously, and the Famine so much increased, that he was forced to let the People go out, and provide for themselves, which they did, some in the habit of Women, and others like religious Persons, because free egress was permitted to such. At the beginning of *November Constantine* so pressed upon the City, that he broke it in the Afternoon, having defeated *Nicetas*, the younger Son of *Artabazdus*, whom being taken Prisoner, he had bound in Fetters, and so presented him to the view of his Father upon the Wall. *Artabazdus* escaped to a certain Castle in the Territories of the *Opsicii*, but was fetched thence, and had his Eyes put out, as also had both his Sons. Many of his Complices were put to death, amongst whom *Boetangius* the Patritian was most eminent, not onely for the Nobility of his House, but the extravagancy of the punishment inflicted on him. First his Hands were cut off, and then his Head, which, with the body, for thirty years rested in a Grave, wherein they had been decently interred; but then did *Constantine* force the Man's own Wife to dig up his bones, and cast them into the place where the Bodies of Malefactours were wont to be thrown. The City of *Constantinople* the foreign Souldiers were permitted to plunder. As many of *Artabazdus* his Friends lost their Lives, so some their Hands, and others their Feet. *Constantine* coming into the *Hippodrome*, to the Horse-races, led *Artabazdus*, with his Sons and Relations, in triumph, and *Anastasius* the Patriarch, having first caused him to be publickly beaten, he set upon an Ass, with his Face to the Tail, and so to be carried up and down in derision. Yet did continue this Man in his place, because he could not find out a greater Villain, if you'll believe his Detractours.

Constantine takes *Constantinople*.

Artabazdus his Eyes put out, and his friends put to death or maimed.

4. *Konar.*

30. *Constantinus Copronymus* having thus in the third year of his Reign recovered his Power and Dignity, that he might settle himself the faster in the seat of his Empire, which had lately been too hot for him, bent his endeavours to gain the affections of the People, which his cruelty had so alienated from him. At the same time as these Civil Wars made such commotions and disturbances amongst Mankind, the subterraneous Vapours, as it were, keeping time with them, shook the Earth in several parts of the East, with such violence, that down fell Cities, Towns and Castles, and the Mountains in the Desert of *Saba* met, and united themselves together, to take Counsel, as it were, and make the stronger defence. And for some time they seemed to be in repose, but not long after, in the sixth Year of *Copronymus*, these Vapours, or whatever other Causes, doubled their fury. For in the preceding year, from the fourth of *August* to the first of *October*, as writes *Theophanes*, or as *Cedrenus* more probably, from the tenth to the fifteenth of *August*, there was a very great darkness, and in the eighteenth of *January* following happened so great an Earthquake in *Palestine*, about *Jordan*, and all *Syria*, that innumerable multitudes of Men perished, and many Churches and Monasteries tumbled down, especially in the Wilderness near to *Jerusalem*. Neither had the Western Parts any cause to rejoyce above their Fellows, for a most grievous Pestilence beginning about *Sicily* and *Calabria*, as if it had been a devouring Fire, spread as far as *Monobasia*, *Greece*, and the interjacent Islands. Little crosses, as it were made with Oil, appeared upon the Clothes of Men, and the Vestments of Churches, and such as had them on their

More dreadfull Earthquakes.

Vide Baron.

their Clothes, certainly died. The number of the dead was so great, that the living were scarcely able to bury them, but were forced to invent several things for the easier carriage of the bodies. The Plague continued still raging with greater symptomes for three years, being called the Plague of *Bubo's*, from those tumours which, it seems, arose in an extraordinary manner.

As dreadfull a Pestilence.

31. It was a singular Mercy of Almighty God, that while these inward Distempers raged in this manner amongst Christians, the foreign scourge of the *Saracens* Sword, though it was not sheathed, yet was employed to the destruction of those that handled it. A Civil War brake out amongst them in *Syria*, where while they intended nothing so much as the destruction of one another, *Manias* reduces to his Obedience *Emesa*, *Damascus*, *Heliopolis* and *Jerusalem*. The Emperour thinks this a convenient time to bestir himself, and while they are busie in one part of *Syria*, he falls upon another, recovers *Germanicia*, and makes an Invasion as far as *Dalichia* and *Assyria*. Those of the *Saracens* that lived nearer the Sea, to weaken or divert his Power, rigged up a Fleet, which bent its course to *Cyprus*, with intent to perform some great matters; but the *Roman* Navy there met with them at unawares, and the Admiral having blocked up the Haven, so as they could not escape, destroyed every Ship, except three, which they willingly suffered to pass away with the news of their sad fortune. The year that followed, being the ninth of *Constantine*, on the twenty fifth of *January*, *Irene*, his Wife, brought him a Son, whom he named *Leo*. And now again are the sad Calamities which had so lately happened in the Eastern Parts renewed, as dreadfull an Earthquake as ever falling out in *Syria*, some Cities were quite swallowed up, others half ruined, and some from their mountainous situations brought down to the level, and removed, without any considerable Detriment, six miles, or more, from their ancient seats. In *Mesopotamia* a *Chasme* was made in the ground two miles long, out of which proceeded a whitish and sandy kind of Earth, and (*Theophanes* tells you Eye-witnesses affirmed it) out of it arose a certain Animal in the shape of a Mule, which speaking with a voice like that of a Man, predicted, that out of the Wilderness a certain People would fall upon the *Arabians*, which accordingly came to pass.

A Civil War amongst the *Saracens*.

Of which the Emperour makes an advantage.

Another Earthquake in *Syria*.

Vide Baron.

32. In the Year that followed, *Constantine* caused his young Son *Leo* to be crowned Emperour by *Anastasius* the Patriarch. For several years all Acts of Hostility had ceased betwixt him and his Neighbours, but in the eleventh of his Reign he raised an Army, wherewith he took *Theadosiopolis* and *Melitena*. Conceiving the Provinces which lay towards the *Bulgari* to be in no good posture of defence, he built some new Forts upon the Borders, whereat they found themselves concerned, and sent their Ambassadours to complain, and desire a Confirmation of the former Leagues; but he ignominiously treated the Messenger, wherewith they were so much offended, that they made a sudden Irruption into the Provinces, and peircing as far as to the Long Walls, with vast plunder returned home, without any let or molestation. This provoked *Constantine* exceedingly, yet he tempered his passion till he could be in a posture, as he thought, to revenge the Injury, which was not till six years after, in the nineteenth of his Reign, and then being, as he thought, sufficiently provided, he made an Expedition against them. But coming to a narrow place, called *Beregaba*, the Enemy took the advantage of the passage, and defeated him, which done, he returned home with great loss of Men, and a greater of Reputation. The next Year a great Comet, which from the likeness of a Beam the Greeks called *Docites*, appeared in the East for ten days, and afterward removed to the Western part of the Heavens, where it shone for one and twenty more.

The *Bulgari* make great Depredations.

They defeat *Constantine*.

A Comet.

Τῷ ιε΄ ἔτει διελθόντος ἤδη ἐνιαυτοῦ καὶ ὀλίγων ἡμερῶν πλείστων, &c. *Cedrenus.*

33. The one and twentieth Year of *Constantinus Copronymus* his Reign, the Analists make infamous, for his whipping to death one *Andrew*, a famous Monk, *in Blachernis*, for reprehending his Impiety, in reference to Images no doubt, to which our Historians, as living in later Ages, wherein the practice obtained, were exceedingly devoted. The Reader must not think it improper for us to take notice of a violent Frost, which happened two years after, both because we are too much at leisure to doe it, and the remarkableness of it renders it a fit Subject for an Historian, though never so grave and wary. It began on the first of *October*, and froze so hard, that both in the Eastern and Western, as well as in the Northern, Parts, the Sea, for an hundred miles from the shore, was covered with Ice thirty Cubits in thickness. On this Ice fell a Snow twenty Cubits deep, which made it passable for Men, and all other sorts of Animals, no otherwise than the firm ground it self. In the month of *February* a Thaw came, and dissolved this Ice, and Snow upon it, into many Heaps, or Mountains rather, which being by Winds driven to *Dampsia*, and the Chapel, crowded through the Straits, and came as far as *Constantinople*,

A strange Frost.

stantinople, nay to *Propontis* and *Abydus*, surrounded the Islands adjacent in the Sea, and filled all the Maritime Coasts, as *Theophanes* himself was Witness, who, with thirty others of his Acquaintance, passed down upon one of these pieces. One of them *Vide eund.* did some mischief to the Castle at *Constantinople*, another shook very much the Wall, and then being broken into three other pieces, compassed the Town from *Mangana*, as far as *Bosphorium*, being higher than the Walls themselves. The month following, or that of *March*, the Stars seemed to fall from Heaven, and Doomsday was generally thought to be at hand. And these wonders were followed by as strange a Drought, which caused both Rivers and Fountains to fail.

34. Much about this time, or a little after, *Constantine* made Peace with the *Bulgari*, but it seems he did it to surprise them, for as privately as he could he marched with an Army into their Countrey, but proceeding as far as *Tutia*, did nothing memorable, burnt onely a few Cottages, and so returned home with small Reputation. But the Year following he thought to redeem his Credit, and therefore not onely prepared his Land Forces, but a great Fleet also, which he commanded to sail to *Anchialus*, but coming to Anchor in the Road of *Thoris*, so violent a North wind seized upon it, that it almost utterly perished, and he commanded Nets to be cast into the Sea, and as many dead Bodies as could be drawn out to be decently interred. So write *Theophanes* and *Cedrenus*, concerning this expedition, to *Anchialus*, adding, that the Emperour returned with disgrace to *Constantinople*, but *Zonaras* tells us quite another story. The occasion, he saith, of this Expedition was taken from a Sedition lately risen amongst the *Bulgari* themselves, who having put to death all their Leaders, that were descended from their Princely Families, advanced one to the Dignity, who was much more meanly descended, *Telentza* by Name. He tells us, that the Emperour at this Instant set upon them both by Sea and Land, particularly at *Anchialus*, where the Fight continuing from eleven a Clock till evening, many were slain, the Captain of the *Bulgari* saved himself by flight, and many Barbarians being killed, and no fewer taken Prisoners, multitudes also revolted to the Emperour of their own accord, who, as Conquerour, entred *Constantinople* in solemn Triumph, in Armour at the head of his armed Troops, with his Captives in Chains, according to the custome, whom, after the pomp and solemnity ended, he put to death.

Different Relations concerning *Constantine's* War with the *Bulgari*.

35. The next Year being come, he caused to be crowned *Eudocia*, his third Wife (for it seems he had three) upon a Scaffold of nineteen cubits, and on the first of *April*, being the *Monday* in *Easter* Week, created *Cæsars* his and her two Sons, *Christopher* and *Nicephorus*. *Nicetas* the Patriarch praying the while that the Emperours invested them with their Robes, and put on them the Cæsarean Helmets. Their youngest Brother *Nicetas* was also created *Nobilissimus*, being invested with a Robe, and a Golden Crown set on his Head, which solemnity finished, they went in a solemn Procession, casting several sorts of Money to the People, according to the custome. A year after *Irene* coming from *Athens*, was also crowned, and married to *Leo*, the eldest Son of *Constantine*. *Phadalus*, Captain of the *Saracens*, within two years, invaded the *Roman* Provinces, and took five hundred Captives, but the Inhabitants of *Mopsuestia* laid in wait, and killing a thousand of these but the Inhabitants of *Mopsuestia* laid in wait, and killing a thousand of these *Arabians*, recovered all their booty. The following year *Constantine* undertook another Expedition against the *Bulgari*, but his Success was such, as inclined him to submit to a Peace, which they, it seems, never intended to observe any longer than they could get a convenient opportunity to break it. For they sent not long after twelve thousand Men to make themselves Masters of *Berzetia*, which being made known to the Emperour, he hasted with an Army against them, and falling on them at a place called *Lithosorea*, cut them all in pieces, and then returned home. He was wont to call this his Noble War, because in it not one Christian perished, but it seems the Victory was obtained by Treachery, and that could not render it so noble, as if it had been atchieved by Valour and good Conduct. For *Elerichus*, Prince of the *Bulgari*, found that he was betrayed, but because he knew not the Traitours, he had this device to know their Names. He wrote to *Constantine*, telling him, that he was resolved to quit his present Office, and come to him to *Constantinople*. He desired therefore he would send him his Letters of safe conduct, and to signifie to him what Friends he had amongst the *Bulgari*, that he might commit his Person to their Trust, and with them repair to his presence. *Constantine* overjoyed at his intimation of a Revolt, sent him the Names of those that held Intelligence with him, which as soon as he knew, he put them all to death, laughing in his sleeve to see how he had cheated the Emperour, who could no otherwise amend the matter at the present, than in a fury by revenging himself upon his

He Crowns his Wife and Children.

His Noble War.

He is deceived by the *Bulgarian* King.

his Beard which he plucked up by the roots in the height of his Passion.

36. But counting every Day a Year, till he could put himself into a posture to be revenged, the Spring following he marched against *Elerichus* with another Army, but before he could doe any thing of moment, was seized with a Carbuncle, or Inflammation of his Thigh, by the Greeks called *Anthrax*, the anguish whereof cast him into an acute Fever. He returned therefore back to *Achadicopolis*, and there took his Bed, and in this case was conveyed to *Selimbria*, and thence by Ship to a Castle called *Strongylum*, where in the Territory called *Chelandium* he died, after he had reigned thirty four Years, two Months and six and twenty Days, coming onely nine days short of the Reign of his Father, if we believe *Baronius*, who in one place will have *Theophanes* to give thirty four Years, three Months and two days to the Reign of *Leo*, whereas formerly treating of *Leo's* Death, he cites the same Historian, reckoning onely twenty five Years, two Months, and twenty Days, of that Emperour. Never was man worse spoken of by *Theophanes*, *Cedrenus*, and other later Historians, especially by *Baronius*, but how great Credit is to be given to them herein may be impartially examined, when we come to treat of the cause of their prejudice, onely saying thus much by the way, that where Interest and Passion bears sway, Truth usually truckles to the Pen of the Authour.

Constantine dies.

Vide Baronium ad An. D. 741. num. 1. & 775. num. 1.

Leo his Son succeeds.

His Son *Leo*, begot on the *Chazarian* Woman, succeeded him, without any trouble, and understanding that he had intrusted one *Theophanes* with a great Treasure, to be employed for the use of his younger Children, he seized on it all, and left his Brothers destitute, and at his own Mercy. This *Leo*, though of his Father's Persuasion, as to Images, yet thought it Wisedom to comply a little with a those of the contrary party, till he could be settled in his Government, which the better to effect, he caused his young Son *Constantine* to be crowned Emperour; upon what occasion, and in what manner, we shall tell the Reader from *Theophanes*.

Apud Bar.

37. The whole City of *Constantinople*, with all the Nobility, and the People in general were so taken with the gentle and bountifull demeanour of *Leo*, that they came and petitioned him to make his Son *Constantine* Emperour. He told them, (as the Emperours were wont) that he was his onely Son, and that he was in fear, lest if any thing happened otherwise than well to him his Father, they would deliver him into the hands of some Usurper of their own preferring, being yet an Infant, and not able to shift for himself. They with Oaths affirmed they would stick to him, and in case he died, none but this his Son should reign, and from *Palm-Sunday*, till the latter end of the Week, the multitude, in the *Hippodrome*, flocked together, with great earnestness requiring the thing might be done, and then on *Fryday Leo* demanded an Oath of Fidelity and Allegiance of them, which as well those of the Army as the Senate took, and all other sorts of People, subscribing a Paper, whereby they professed they would admit none but *Leo*, or *Constantine*, or their Issue, to reign over them. On the morrow then, or *Easter*-Eve, the Emperour ascended a Throne, raised nineteen Cubits high, where first he created *Nobilissimus* his Brother *Eudoxius*; his other Brother, *Anthimius*, having already received this honour from their Father. Then, with the other *Cæsars*, three *Nobilissimi*, and young *Constantine*, he went in solemn Procession to the great Church, where changing his Habit, as his Predecessours were wont to doe, he, with his Son, and the Patriarch, mounted the place proper to such solemnities, and the People being let in, laid down their subscribed Papers upon the Holy Table. This done, the Emperour thus addressed himself to them: *Look, my Brethren, I grant your Petition, and give you my Son for your Emperour; see you receive him from the Church, and the Hand of Christ.* They with earnestness replyed, *Be thou our Surety, thou Son of God, as from thine Hand we receive our Lord* Constantine *for Emperour, to preserve him, and, if occasion require, to die for him.* On the day following, which was *Easter*-day, in the fourteenth Indiction, assoon as it was well light, the Emperour and Patriarch went into the *Hippodrome*, where the Patriarch, in the full view of the People, first prayed, and then crowned young *Constantine*, which done, both the Emperours returned with the same Train and State, together with the two *Cæsars*, and the other three *Nobilissimi*, to the great Church, not through the Street of *Embolum*, but by the brazen Gate, and the Church of *Catecumenius*, with the Sceptres born by the *Scholarii* before them. After they were past, followed *Irene* the Empress, and concluded the solemnity.

The manner of his making his Son *Constantine* Emperour.

8. Cal. Maii.

38. This Ceremony happened at the latter end of *April*, and in *May* following *Nicephorus Cæsar*, the Brother of *Leo*, his Appetite after Sovereignty, it seems, being whetted by such a sight, conspired against the Emperour, and being convicted, was, with his complices, who were beaten publickly and shaven, banished to *Cherſona*.

His Brother *Nicephorus* banished for a Conspiracy.

Chersona. But the contrary Operation had a good Conscience, and a Sense of Religion upon *Telericus* or *Follerigus*, King of the *Bulgari*, who came to *Constantinople*, and was baptized, resolving to change a temporal Crown, for an heavenly Kingdom. *Leo* received him with wonderfull kindness, and having made him a Patritian, gave him in Marriage the Cousin Germane, or Niece of his Wife *Irene* by her Sister. This it's probable, the King of the *Bulgari* did out of choice, and therefore much more deserved a kind Reception than *Tellerigus* (so *Cedrenus* calls him) King of the *Lombards*, who the preceding year, forced thereto it's to be thought by necessity, betook himself also to *Leo*, and had kind Entertainment. In the third year of this Emperour, an Expedition was made into *Germanicia* by the *Roman* Army; where taking Prisoners a great multitude of the *Syrian Jacobites*: *Leo* gave them convenient Habitation in *Thrace*. Nothing more of moment occurs in his Reign; but that being exceedingly inamoured of Gems, he longed to be Master of the Crown of *Heraclius*, which being very Rich, was depositted and dedicated in the great Church. His longing was so violent, that needs he must have it, and having taken it out of the Church, he wore it when he went abroad. But on a certain time, when he was returned home, Carbuncles (they tell us) arose on his Head, and he was seized with a violent Fever, which exacted his Life as the price of his Sacrilege, after he had Reigned five years and ten days.

The King of the *Bulgari* baptized.

Leo dies.

39. On the sixth of the Ides of *September*, in the fourth Indiction, and the seven hundred and eighteenth Year of our Lord; *Irene* with her young Son *Constantine*, a Boy of about ten years old began her Reign over the *Roman* Empire. But forty days were hardly past, when the Nobility taking distaste at the Sex of *Irene* and the Youth of *Constantine*, notwithstanding the Oath made to him and his Father, began to enter into Councils, how to prefer *Nicephorus Cæsar* to the Throne, which she in time discovered, and after they had been beaten with Rods, banished them from the City into several Islands. Awakened by this danger, to prevent the like for the time to come, she caused all her Husband's Brothers, as well the *Cæsars* as the *Nobilissimi* to take Orders, and on *Christmas*-day to give the Communion to the People; at which time, she and her Son offered again that rich Crown which *Leo* had taken out of the Church, While she busied her self thus about settling her Family, the Eastern Provinces were in danger, which the *Arabians* upon News of the Emperour's Death, and the hopes of disorders thereupon to arise, had invaded, but such Forces as could be got together were sent against them, and quite expelled them out of the Coasts. Fortune thus favouring her on all sides, she thought fit to procure a strong Alliance by the Marriage of her Son, and considering all the Princes, her Neighbours thought none so fit to have Amity with, as *Charles* King of the *Franks* afterward Sirnamed the Great, and Crowned Emperour of the West. She sent her Ambassadours, to desire his Daughter might be given to *Constantine*, and the offer was so well liked as our Greek Historians write, that *Elisæus* an Eunuch, and Notary was left behind; to teach her the Language, and instruct her in the Manners and Customs of the *Roman* Empire.

Irene with her Son *Constantine* Reigns.

Helpidius rebells and is defeated.

40. But the prosperity of *Irene* was interrupted this same year, by the Rebellion of *Helpidius* the Pretour of *Sicily*, in behalf of the *Cæsars*, for the reducing of whom a strong Fleet was sent, under Command of *Theodorus* the Patritian, who drove him out of the Island, and made him fly into *Africk*: Yet he escaped with all his Treasure, and living securely in that Countrey, was by the *Saracens* in opposition to *Constantine*, owned for the *Roman* Emperour. They were glad of this opportunity, and having added what Fuell they could to the flame, fell upon the Eastern Provinces, which to waste *Madi* their Prince, sent *Aaron* his youngest Son (his eldest was *Moses*) who managed his Matters with such Industry and Conduct, that *Irene* to preserve the Empire, besides many Gifts she sent made it Tributary to this People; an Annual pension being to be paid to their Prince. Having thus made what Peace she could with the *Saracens*, the year following she sent *Stauracius* a Patritian, and *Logotheta* against the *Sclavini*, who had seized on *Greece* and *Peloponnesus*. He brought them all to obedience, and imposing on them a Tribute, returned in Triumph with great Booty to *Constantinople*. Not long after, *Madi* Prince of the *Saracens* dies, and *Moyses* his Son succeeds him, but after little more than a year is taken away also by Death, and gives place to his Brother *Aaron*; who being a Man much addicted to Arms, reigned three and twenty years, a most deadly Enemy to Christians.

The Empire Tributary to the *Saracens*.

The *Sclavini* beaten out of *Greece*.

41. *Constantine* the Emperour growing now towards mans Estate, had his mind all this while fixed on *Rotdindris* the Daughter of *Charles* King of the *Franks*, and impatient he was to Consummate the Nuptials. But though the Marriage was agreed

agreed on, the Consummation was deferred for seven years, and at length the matter was absolutely broke off by *Irene* his Mother. The cause the Greek Historians ascribe to the Ambition of *Irene*, who having a great desire still to continue her Power, feared the Accession of the Friendship of *Charles* might make her Son too considerable for her to Govern. Others that have a kindness for the Woman, think she took offence at *Charles*; because he had invaded the Dukedom of *Beneventum* in *Italy*, which the Emperours had taken into their Protection, and that inraged at this Action, she both broke the Marriage, and made War upon *Charles*, wherein she had the worst; Fortune favouring him in all his Enterprizes. There are others, who out of Respect to *Charles* and his Posterity, thinking it more Honourable for him to refuse than be rejected, write that he himself broke off the Match, and that thereupon *Constantine* to be revenged, ordered *Theodorus* a Patritian the Governour of *Sicily*, and other of his Captains to invade the Borders of *Beneventum*, which he got into his Power. But the great reason of the Breach seems to be fetcht from the Inclinations of *Irene* her self, who had no mind to the Match long before the business of *Beneventum* happened, else she had time and opportunity enough in so many years to have had it accomplished, and the great Enmity which upon this occasion fell out betwixt Mother and Son, shew plainly, that he thought her to be principally Guilty, she forces him to renounce the Contract made with *Rotdrudris*, though exceedingly in Love with her, and to espouse an obscure Maid, an *Armenian* by Birth, some say a *Paphlagonian*, by Name, *Mary*, who had nothing in the least to commend her, not to say fit her, for the imperial Throne; but that she was Daughter, or some say Neice to *Philaretus*, a Man that was very eminent for Acts of Charity.

A Match betwixt *Constantine* and the Daughter of *Charles* King of the *Franks* broken off, and why.

Irene forces her Son to Marry an obscure Maid.

Καπηλεύσαι διὰ χρήσεως τὴν φιλαργυρίαν, ἵνα μὴ δυναμιν ὁ υἱὸς δυνατὸς παρὰβασιλεῦσιν τὴν παρ' ἀγγλοις ἀρχὴν. *Zonaras.*

42. Now, as it ever happens in such Cases, there are not wanting those, who endeavour on both sides to widen the Breach, and blow up a little heat of Indignation into a flame of Malice. Her flatterers tell her, the Empire cannot subsist without her, that it is both indecent and unsafe for her, who had now aquired the Art of Government by long Practice and Experience, to quit and resign it to a young raw Youth, whose Age would brook no other Maximes than what were founded upon Ease and Pleasure. His Attendants impatient of delay, till they could have to doe with Offices and Management of Affairs, put him in mind that he is now about twenty years of Age, which ripeness though he pleaded not his Quality, was sufficient to discharge him of the Bonds of Pupillage; and they provoke him to take by force that Inheritance which will not voluntarily be resigned. Their great Spleen was against *Stauratius* a Patritian, and *Logotheta*, who Governed all under *Irene* at his Pleasure; it was resolved therefore, that he in the first place, should be seized and banished the Court, and when he was removed they feared not, but they could have Quarter good enough at the Empresses hand. But *Stauratius* sounded the depth of their Design e'er it was ripe for Execution, and revealing it to *Irene*, Order was presently taken with the Conspiratours; of whom most were beaten and shaven, and then sent into Exile. Her Son she chastized with her own Hands and Tongue, and constraining him to keep within, caused the Senate and Souldiers to take an Oath of Fidelity to her self, and not to permit her Son to Reign as long as she lived. This though with great unwillingness was swallowed by all, but the *Armenian* Legions, who professed they would adhere to *Constantine*, as they were bound by Duty and Allegiance.

The Souldiers Mutiny, and will have *Constantine* Reign.

43. The report of the Resolution of these *Armenian* Legions, coming to other Souldiers, who were Quartered at a distance had such Effect upon them, notwithstanding the Oath they had lately taken, that consulting what to doe they closed with them, as having more Equity on their side; and coming to a Rendezvous, they all required that *Constantine* might Reign over them. *Irene* now feared the violence of the multitude, and therefore dismissed her Son out of his honourable Imprisonment, who being received with lucky Acclamations set himself to recall his Friends out of Banishment, to put them into places of Trust and Profit; and to revenge both his and their Quarrel upon such as had been either Authours, or Instruments in their late afflictions. *Stauratius* and others, being beaten and shaven were sent into Banishment. His Mother with great Respect he led out of the Palace, and brought her to her own House, which she her self had built in *Eleutherium*, and where she had laid up a vast Treasure. While these disturbances happen at Court, and shake the whole Empire, an horrible Earthquake as it was suitable that Nature her self should express the Horrour and Effects of Man's Ambition, made all things quake and totter at *Constantinople*, where the Citizens durst not stay in their Houses; but pitcht Tents in the Fields, and there continued till the violence was abated.

He depaseth his Mother.

abated. The Court was also disturbed by a Fire, which burnt to the Ground a very fair Banquetting-Room called *Thomaites*, with all the Rooms under it, wherein lay the Commentaries upon the whole Scripture, written by St. *John Chrysostome*. The Emperour animated by his Liberty, and the unexpected Injoyment of his Power, will now make War against the *Bulgari* and comes off with the Victory, as writes *Cedrenus*, though *Zonaras* saith it was a drawn Battel, and with no great harm either done or received, each one retired to his own Place. Not satisfied with the Reputation it seems that he got by this Expedition, he undertakes another as far as *Tarsus* against the *Arabians*; wherein one says, he took many Prisoners, and another affirms, he returned without any memorable thing performed.

44. But all this while he was not so Circumspect over his Mother and her Party, but that they were very close at work; so hard a thing it is for those, who have once tasted of Sovereignty and Dominion, to relish any thing of a lower *Gusto*. Knowing there was no Force now to be used, they betake themselves to Intreats, and seek by little and little to screw up *Irene* into her former place. By Arguments drawn from filial Duty and good Nature, they perswade him to admit her again into the Court, and to the Title of Empress, which the *Armenian* Souldiers, more sensible it seems of what would follow than any others, vehemently opposed, and desired, that one *Alexius Mosoles* might be sent them, which *Constantine* construed, as he had some reason, as if they would rather promote him to the Empire, than bear the Domination of a Woman, and therefore he caused *Alexius* to be beaten and shaven, and committed him to his Custody. Having strengthened himself, as he thought, by the Conjunction of his Mother, he betakes himself again to Arms, and will needs fall upon the *Bulgari*, being by some false Prophets incouraged with a Promise of certain Victory. This so far puffed him up, that he neglected his business, as thinking it a thing needless to be solicitous for that which of it's own accord would fall into his hands; and therefore in this security as he lay, the *Bulgari* took their advantages, and gave him a very notable defeat. Besides a great number of private Souldiers, many considerable Officers, and the chief Men of the Empire lost their Lives, with *Pancratius* the Astronomer, who by his lying Prophecies had given the occasion of the overthrow. *Constantine* having nothing left to clog him, for both Army and Baggage, and all was lost, fled with all speed; but brought Infamy enough with him to *Constantinople*.

Receives her again to Court.

He is defeated by the *Bulgari*.

45. This defeat opened the Mouths of his Adversaries and Emulatours, who were not wanting to descant upon each particular, and more than call his Prudence and Conduct into Question. He himself was Conscious of his Errour; and Consequently Jealous, that no better an Interpretation was made of it than it deserved, which Humour those that were near him, indulged with little stories put into his Head, and great Dangers suggested to him, which filled him with such Conceits as were not to be removed without some extravagant Diversion. It was told him, that the Souldiers now lying in Town, had a design to promote *Nicephorus* his Uncle to his place, which report so disordered him, that he caused not onely his Eyes to be put out; but those of *Christopher* also his other Uncle, and cuts out the Tongues of another *Christopher*, *Nicetas*, *Anthimus* and *Eudocimus*; his Mother, and *Stauratius*, finding him in this Humour, strike in, and perswade him to put out the Eyes also of *Alexius*, whom the *Armenian* Legions had demanded to be sent them at such a time, as they protested against her Restitution; telling him, that in Case he were spared, the Souldiers would infallibly make him Emperour. But when the *Armenian* Souldiers received the News, they presently fell into a Mutiny, and committed to Custody, *Camilianus* their Captain. The Emperour dispatches away against them *Constantianus Artaseras*, and *Chrysochires* with a strong party, but they had the mis-fortune to come by the worst, and being taken Prisoners had their Eyes put out. *Constantine* therefore marches against them himself, and with better Success. He utterly defeats them in Battel, and getting them all into his Power, the Officers he puts to Death, deprives the rest of their Estates, and a thousand of the ordinary sort he causeth to be led in Chains to *Constantinople*, where they had these words, *An Armenian Traitour*, stamped with Ink upon their Faces, and then were dispersed in *Sicily* and other Islands.

He is Jealous of his kindred.

46. This succeeded to the good liking of *Irene*, who all this while seeming to satisfie her self with the Title without the Power; yet cast in her Head, how she might again be Mistress of both. Her great Adversaries the *Armenian* Legions were now made an end of, yet to attempt any thing against the Person of her Son, was not altogether safe, besides unnatural; but she rejoyced in his misfortunes

tunes, and comforted her self in his want of Reputation, which that he might lose still more and more, she was resolved nothing should be wanting on her part, and she hoped to push him on to such actions, as should render him odious, and so make a kind of necessity of returning the Government into her own Hands. Knowing that he had no fancy for his Wife *Mary*, to which he had been preferred by her worthy care and foresight, she perswaded him to shave her, and put her into a Monastery, which done, she finds out for him another honourable Match *Theodota* one of the Maids of her Chamber, which Damosel is crowned with the Imperial Diadem, and the Wedding kept with great pomp for four days together in the Palace of St. *Mamas*. This unequal Marriage made much for her Design, and she improved the advantage to the utmost, for great contentions falling out amongst Churchmen concerning the Lawfulness, or unlawfulness of the Match, she still sided with such as spake against her Son, and promoted their interest all ways possible, though secretly and as much in the dark as she could. But some other things happened, which seemed to thwart all her purposes by recovering the Reputation of her Son. For, renewing his Wars with the *Arabians* he had good success, as also against *Cardamus* or *Cardames* the Prince of the *Bulgari*, who sending to him to demand Tribute, and threatning if he had it not, to come to fetch it as far as the *Golden Gate* of *Constantinople*, he sent him some Horse-Dung for Tribute, and withall this word, that seeing he was an old Man, he would not have him take the pains, nor undergo the labour of so great a Journey, but he himself would come and wait upon him. And gathering together a considerable Army he went, but the Barbarian, when the Armies came in sight of each other, in a kind of a pannick fear fled away.

He is successfull against Barbarians.

47. In the seventh year of his Reign, (when he Reigned alone,) he waited on his Mother to the Baths of *Prusa*, and in the following month or *October*, news was brought him that he had a Son born, whom afterward he named *Leo*, Overjoyed at the news, he left his Mother and departed speedily to *Constantinople*, giving a fair opportunity to her, to Caball with the Officers of the Army, and what by gifts and vast promises she so improved it, that they promised to depose her Son that she might Reign alone, and that they would watch for a convenient opportunity to effect it. While she and they gaped after this desired time, the Emperour resolves to undertake another expedition against the *Arabians*, and with twenty thousand men accompanied with *Stauracius*, and other Creatures of his Mother in the month of *March* he begins his Journey. *Stauracius* and those with him perceiving both him and the Souldiers, to be full of hopes and courage were very thoughtfull lest he should return Victorious, and their Plot should not take, they therefore procure the Scouts to report that the *Saracens* were fled, and that it was no purpose to proceed. *Constantine* frustrated as he thought of a glorious Victory, in much discontent returns to the City, and on the first of *May Leo* his young Son Dies, which overwhelmes him with excessive grief. In the middle of *July* those of the Conspiracy attempted to seize on him, which he having discovered endeavoured to make his escape, but his Mother so quickned them by her Letters, threatning that if they did not speedily put a conclusion to the business, she would reveal the whole matter, that fearing both her and the People, which flocked so to him that they were all afraid, and she thought once of sending some Bishops to perswade him to retire to a private Life, they laid hands on him and conveyed him to *Chelandium*. On the Saturday morning they brought him to *Constantinople*, and there shut him up in the House called *Porphyra* where he was Born, and about three a Clock in the Afternoon, most wickedly and cruelly though by his Mothers orders, digged his Eyes out of his Head, even in such a manner that Death presently followed, after he had Reigned seven years by himself, and ten together with his unnatural Mother. Upon this blinding and Murther of the Emperour, the Sun was darkned for seventeen days, so exceedingly, that the Ships at Sea lost their course, and all men affirmed that because *Constantine* had lost his sight, the Sun was also hoodwincked, and for this very reason withdrew his beams.

He blinded and killed by order of his unnatural Mother.

48. But *Irene* little concerned it seems for such a Prodigy being now rid of her Son, thought she could not yet be very secure because of her Husband's Brothers, who had taken Sanctuary in the Great Church at the perswasion of some of their Wellwillers. She sent them therefore down to *Athens*, where having entertained some Councils tending to the deposing of the Empress, and advancement of their own Fortune, they were killed as it's said by the Inhabitants, and so the Race of *Copronymus* was totally extinguished, she, to shew what manner of Person now she is, is drawn into the City by four Horses in a gilt Chariot which is staid by the

hands of Patritians, and she casts money amongst the People, as was usual at a solemn Coronation. But what joy soever was at *Constantinople* upon this occasion, there was sadness enough in the Eastern Provinces, which the *Saracens* now invaded under Conduct of *Habdimelech*, who refused to grant any Peace at the desire of *Irene*, and as confident to overpower a Woman, marched up through all the Countries as far as *Constantinople* it self, the Suburbs of which they Plundered, and having ranged the Countrey without Controll, at length departed home. They were no sooner gone, but another danger hung over the Head of *Irene*, and so much greater as a secret Traitour is more dangerous than a known and open Enemy. And who should this be but *Stauracius* himself, who in all his Councils for feeding the Ambition of this Woman, had an Eye it seems to his own advancement. What Service soever he had formerly done her, he now went about to render it all fruitless, conspiring to take the Diadem from her Head to set it upon his own, but he was timely discovered. She having a regard (it's probable) to his former kindnesses, (though such an act as this usually obliterates the greatest impressions of that kind,) onely forbids all men to keep him Company, after which oppressed with sorrow, either for his Fault or for his Punishment, he falls into a bleeding from the Lungs, and so ends his days, his Ambition and Sorrow altogether.

The *Saracens* rove as far as *Constantinople*.

Stauracius purposes to usurp, and Dies.

49. *Irene* perceiving that those she most trusted, had more respect to their own advancement, than the security of her Estate, and therefore that she stood in a ticklish condition, thought it best for her to oblige the People. In her fourth year, she remitted the Tribute wont to be paid by those of *Constantinople*, and promoted the Commerce of *Abydus* and *Hierum* by all means possible. This had the wished effect, for it procured her the hearts of the Multitude. But it could not procure her the fidelity of her Servants, who all this while had wrought their own ends by her, and made her Service onely an advantage for their future preferment. One *Ætius* an Eunuch ruled all in the Palace, and being by his Commands over the Eastern Provinces exceedingly inriched, despised all the ancient Nobility, carrying himself very sawcily toward them, and thought of no less than promoting to the Empire his Brother *Leo*, for whom he had with much labour, procured the Government of *Thrace* and *Macedonia*. The Nobility smelt out his design, and resolving to oppose it whatever should happen, consulted how to make Emperour one *Nicephorus* the General *Logotheta*. Getting their Company together, they went to the great Palace, and there telling the Guards, that it was the pleasure of *Irene* her self that *Nicephorus* should be Emperour on purpose to obviate the designs of *Ætius*, easily got admittance, and sending their Emissaries about the City before Midnight, prepared the People for what they meant to act the day following. When it was day, they clapped up *Irene* close Prisoner in the Palace, and then went and Crowned their new Emperour in the Great Church, having neither Acclamations nor good wishes, but Curses and reproachfull Language from the People. Thus was *Irene* dealt with after a Reign of five years, though not in so severe a manner as she treated her Son, for she was but shut up in a Monastery of her own Building. But a circumstance there was which made the affliction much more grievous. She was just now courted by *Charles* King of the *Franks*, who had lately assumed the Title of *Roman* Emperour, and desired by him in Marriage, that the East and West might in their two Persons be again happily united. She her self was not averse; but *Ætius* the Eunuch hindred the conclusion of the treaty, by rubs continually laid in the way, driving that Trade we lately mentioned for his Brother; and then in the mean time happens the Conspiracy of the Nobility, for *Nicephorus* and his Promotion. The Ambassadours of *Charles* were still in Town, and were Eye witnesses of this sudden Revolution.

Irene indeavours to get the love of the People.

The Nobility perceiving a design of *Ætius*,

The depose *Irene* and make Emperour *Nicephorus* the General *Logotheta*.

AN

AN INSTITUTION OF General History: OR The History of the World.

BOOK II.

Of the Kingdom of the *Franks* in *Gall*, (formerly one of the *Roman* Provinces) Contemporary with the *Constantinopolitan Roman* Empire.

CHAP. V.

The Original of the Franks, *their Seats, Kings and Exploits, before their coming into* Gall.

SECT. I.

Sect. 1.

1. GReat things which proceed from small and contemptible Principles when they have once arrived at their Grandeur are apt to despise their Originalls, and to gain greater Reputation from superstitious Minds, seek after such Heralds as can draw them specious, though false, Pedegrees. Such as of old time amongst the Heathens arrived at more than ordinary Power, Knowledge or Dexterity, in any respect, must needs be derived from the Gods themselves; such Nations as have had a more modern beginning, or the Original of whom is unknown, by reason of later Discoveries, have been more than ordinarily ambitious to derive their descent from the so much famed *Trojans*. The flattering Heralds are the Poets who have thus blazoned the Coats of *Romans*, *Veneti*, *Britains*, and others. And in later times the *Franks* have by their flatteries been advanced to the same degree of Honour.

2. By these Impostours they are derived, both as to Original and Name, from one *Francion*, a supposed Son of *Hector*, to doe them Honour. But *John Tilius* rejects both the Project and the Reason thereof, affirming, that such as fetch their Original out of *Germany*, do really, and in truth, contribute more to their Reputation

The Original of the *Franks*, and whence so called.

Comment. & Disquis. de Rebus Gallicis, lib. 1. ad initium.

Sect. 1. tion than those who make them descendants of the *Trojans*. That Countrey having in many respects been more renowned, and deserving more praise for opposing so long a time the warlike *Romans*, and for giving the Mate to that capacious and dreadfull Eagle, than that famed City, for being overcome by such weak Opposers. At this day Learning is more prevalent than to suffer such Dreams to pass without contradiction, and therefore all knowing Men now joyn with *Tilius*, in the renunciation of that Title. Yet is there great difference in opinions touching the reason of the Name, and the Original of these *Franks*. Some (besides what we have said of that fabulous *Francion*) derive the Name from *Francus* their first King, who reigned many Years before the Birth of Christ. Others, and those not a few, will have them named *Franks* in the *Attick* Tongue, by *Valentinian* the Emperour, from their Courage and Ferocity, some modern Writers held, that the Name was framed upon occasion, at what time such amongst them, as protested themselves their Leaders and Abetters, in recovering their Liberty, named themselves *Franks*, by which word the *Germans* in their Language, understand such as are free, and void of servitude. *Hotoman*, in his *Franco Gallia*, takes pains by instances to make this good; and *Matharell*, in his Answer to that Book, (which he terms no better than a scandalous Libel) doth assent to it; and long before them *Aventine* was of the same opinion, deducing the Name from the same, as *Frey Freye* and *Freydome* in the Teutonick Languages, which Surname is yet given to the *Francones*, being vulgarly called *De Freye Francken*, or in English the *free Franks*.

Huniboldus.

Ado. Viennensis, Archiep. Gregor. Turonen. Abbas Urspurgensis, Sigibertus, Godefredus, Ursbiens.

3. But as the Story of *Francion*, the Son of *Hector*, hath no other foundation than that of Lyes and Fables, so that of *Valentinian* hath as weak an Argument to support it; for, to say nothing of the Etymology of the word, this People had not onely the Name of *Franks*, but as such were very famous, even in *Roman* Writers, before the time of *Valentinian*. Against the Opinion of *Hotoman*, and his Fellows, *Joannes Isacius Pontanus*, a late most learned Critick, opposeth, that *Frank* signifieth free, no more than anciently *Cretian* signified a *Lyar*, *Sybarite* denoteth a *voluptuous Person*, *Cimber* a *Thief*, to which we may add *Lydian*, by which word was sometimes signified a *Man very effeminate*. For the *Franks* being those who principally above the rest of their Countreymen, contended for Liberty against the *Roman* Encroachments, thence came their Name to be used in this signification, especially amongst the *Galls*; and indeed what *Aventine* cites in behalf of his own opinion, doth really make against it, *Frank* signifying *free*, in case that the word *Freye* was added to it, in which sense they say ar this day the *Vry Freifen*, or the *free Frisians*, whereas if any one should term them *Francke Freifen*, or *Frank Frisians*, it would quickly be seen, that the word *Frank*, in that idiome, hath not the same force and signification of that of *free*, and consequently apprehend a great difference betwixt them. Neither doth *Procopius*, as he is made to speak by *Hotoman*, say that the *Franks* were first called *Germans*, and then called *Franks*, after they had passed beyond the Limits of their own Countrey. For he plainly writes that he would explain first how they got this Name, and then how afterwards they invaded *Gall*. And his mistake of *Tacitus* is as great, in thinking that he makes the *Franks* part of the *Carnifates*, for they lived behind the *Rhine*, in the Continent of *Germany*, but these on this side this River, within the Limit of the *Roman* Empire, or rather, as *Pliny* hath it, inhabited within the River *Rhine* it self.

Origin. Francorum, lib. 3. c. 1. p. 179.

Lib. 4.

4. Some will have this People called *Franks*, as *frey on cy*, or *free from Tribute*, signified by the word *cy*, or *Franf*, that is *Fry Anf*, which later word, in the *Gothick* Idiome, denotes *those who excell other Men in Fortune and Wealth*, in respect whereof *Hanfi* and *Anfi* are the Appellations of the greater sort of Nobility onely. But *cy* ought to be writ *Cyus*, and is not of Teutonick but Latine Original, being derived from *Census*. And in writing the word *Franf*, violence is offered to the word, the latter syllable whereof ought to be spelled *ci*, and not *fi*. That Opinion of *Goropius Becanus*, that they were called *Franks*, as *Verranken*, or *Vryranken*, from the *Palm-trees*, which largely extended themselves; and that of *Lazius*, from the *Fraca* of the Hebrews seem too light and sporting to be seriously confuted. There have not been wanting who derive the word from *Froyancke*, which they interpret *free Servants* in the Teutonick. But no opinion is so ridiculous as that of *Turpin*, a Monk, little more elegant in his Writing than his Name, who, in the Life of *Charles* the Great, delivers it for truth, that he who first contributed money to the building of the Church of St. *Denis*, had the name of *Francke*, as if the name had been formerly unknown, and came first into use in the days of that Emperour. Amongst all these Opinions *Pontanus* interposeth his, which he thinketh most congruous to the nature of the thing, as well as the ancient signification of the

Adrianus Junius Hornanus, cap. 9. Batt. p. 73.

Etymolog. German. Althameii Tacito subjectis.

the word. His opinion is that they were called *Franks*, from a certain Weapon they used, which hath the name of *Francesca* in several Authours. From *Gregory Turonensis* it appears, that this Weapon was wont to be worn as well by Kings as common and ordinary Souldiers. This being more truly writ and pronounced *Franca* or *Franga*, might by writers not acquainted with the Language, and by other Foreigners be termed *Francesca*, and by *Tacitus* corrupted into *Framea*, which in this Authour appears to have been a sort of Weapon peculiar to the *Germans*, and more than that, an Ensign of Respect and honour. None might bear Arms till approved by the City wherein they Dwelt. Then in the assembly, either the Prince, the Father, or some other relations of the party adorned the young man with a Target, and this *Framea*, which was the same with them, as the Gown amongst the *Romans*, and the first step to Honour. Now if it be natural that the same way things are constituted, in the same they be dissolved, as taking off Ensigns of Degree and Order, hath ever been used for Degradation, as well as putting them on for Creation, or (as the word explains it self) Investiture, then by comparing this manner of Promotion or Creation of Souldiers mentioned by *Tacitus*, *viz.* by adorning them with this *Framea*, with what *Gregory Turonensis* mentions of King *Clodonæus* his Exauctorizing or casheiring a certain Souldier, by causing him to cast away his *Francesca*, we may Judge them the same kind of Weapon, and to have been in great use and repute, and that for a long time amongst the *Saxons*. It was a sort of Spear or Javelin, whereof the Iron was short and narrow, but so sharp and convenient, that they could either fight therewith *Cominus* at hand strokes, or *Eminus* after the manner of missive Weapons, far off and at a distance.

Sect. 1.

Lib. de moribus German.

5. It is certain that several other Authours, (as *Procopius* and *Agathias* as well as others,) make mention though not by the same name, of such a sort of Weapon amongst the *Franks*, and this is to be said in behalf of *Pontanus* his opinion, that these *Franks* might as well receive a name from a certain Spear or Javelin, as the *Saxons* their Countreymen from a Skeeve or Scimiter, which they called *Saxe* in their Language, for that the *Saxons* were thence so called is more probable, being the judgment of most Learned men, than what he instanceth in the *Quirites* of *Rome*, and the *Gæsatæ* amongst the *Galls*, whereof the former he would have so named from *Quiri* a Spear, and the latter from *Gesis* another sort of Weapon, these Etymologies which we have formerly in their due places given of each, seeming altogether as proper both as to name and matter. The formation of the word *Francesca*, he rightly judgeth as easie and natural as those of *Dacifcus* from *Dacus*, and *Syrifcus* from *Syrus*. The Weapon he thinketh might have the name from *Frey* and *Ainke*, *Frey* being Free, and *Ancken*, as *Kikanus* tells us, in the old Netherland Dutch, to run in or fasten in, signifying the commodiousness of Fighting, either *Cominus* or *Eminus* with this Instrument. But why may it not be objected out of *Isidore*, that the *Franks* were not so named from this *Francesca*, but this *Francesca* from the *Franks*? Doth not *Francesca* seem rather Relative to, and Derivative from *Francus*, than *Francus* a more simple word be derived from *Francesca*? The word seems to father it self, were it not as easie to say a *Frank blade*, or *Francesca Framea*, (if we amongst others may lawfully spend our Verdict, the adjective *Francesca* having a relation to some other word,) as we say in English, a *Bilboa* Blade, or a *Sheffield* or *London* Blade, or for shortness, this is a *Bilboa*, &c. The Instrument receiving it's name from the Place and People, not the People from the Weapon. Neither doth *Pontanus* his reply at all weaken the objection, *viz.* That the *Saxons* themselves called the Weapon by the same name. Why not for distinction sake? Would an Inhabitant or Artist in any of those places formerly mentioned, disdain to call the Swords or Knives there made by their proper names? No disgrace is it for a People to own by the mark of its own name, any thing which is the product of its own Industry and Ingenuity. But on the contrary we may shew *Pontanus*, that Nations have been shie, though not to give, yet to take a name from some such accidental thing, some inconsiderable Adjunct or other which their Neighbours discovering in them and distinguishing them most by, (as that which appeared to them most remarkable,) did thence at first denominate them. We can easily instance in those which call not themselves by that name whereby their Neighbours know them, which yet the *Franks* never disowned.

6. To conclude this contest about Names, the matter is very much in the dark, and not to be clearly discovered by any light we have from Antiquity. Yet what *Pontanus* brings in confirmation of his own opinion, rather makes us esteem and approve than reject, and condemn that of *Hotoman* and his followers. The instance he

SECT. 1. he maketh in the *Cretians* and *Sibarites* concludeth nothing, for as things in their case have been denominated from persons, (as Drunkenness and Lying,) yet it is certain that elsewhere persons have been also denominated from things, as is clear in the case of Names and Sirnames, where Sonship or Relation is not expressed to all who are skilled in ancient Etymologies. If the name of Protestant from one single act of Protestation hath been given so many Professours of Religion, though of several Nations, and not altogether of the same Judgment, because the nature and remarkableness of time and affairs was such, as made it stick where once it fastened, and a convenience of distinction absolutely confirmed it; Can we doubt but upon such an occasion as fighting for Liberty, opposing and invading Enemies, a profession of publick concernment and protestation against the security and lazineſs of others, might well leave a note upon the agents, and a mark and name upon such as headed an association for the preservation of Laws, Rights and Liberty? Especially amongst a numerous people, such as these Northern Nations were, and that rather than a sort of Spear or other Weapon. His objection that *Francke* without Free, doth not at this day signifie Free, is too weak to conclude that it never did so, although in English it self, that sense and signification in some cases still remains. Although *Procopius* his meaning may be that they were called *Franks* before they passed out of their own Countrey, it concludeth not but there by their profession and indeavours to oppose the Incroachments of the *Romans*, a sufficient occasion might be had to raise this Name. And whether they were part of the *Carinfates* or not, it's not very material to the main Question. Let us therefore pass on from the Name to the thing, and see if we can more clearly make out the persons and places of these *Franks*.

7. Although as we said before, the palate of this age be too quick and sensible to relish, and approve the insulse and obsolete *Trojan* Title. Yet it will not be amiss to give the Reader a taste of it, both for that to recite will be to confute it, and he may judge what gust they had, who in former times have liked and approved it.

Their Original from the Trojans how.

The Original of the Nation of the Franks, saith Abbas Ursspurgensis, is to be fetched from the ancient Stock of the Trojans. For at such time as after the Destruction of Troy, Æneas came into Italy, some of the said Trojan Exiles in like manner arrived at the Marishes of Mæotis, which chusing for their Seats, they inlarged their Bounds as far as Pannonia. They Built the City Sicambria, and there inhabiting very many years, grew into a great Nation and were first of all called Sicambri, for driving away the Alani from the Fenns of Mæotis, Valentinian gave them the name of Franks with remission of Tribute for ten years. These ten years ended, he sent a certain Captain to them to raise Tribute, but they being of a fierce Nature, disdained to be any longer subject to Tribute and slew the Messengers. Then Reigned amongst them two who bore the ancient names of Priamus and Antenor. The Emperour being acquainted with their Faction, and too much incensed, commanded all the Roman Forces, with many Exteriour Nations to fight against them. In the Battel, after many had fain on both sides, the Franks at length overpowered in numbers were put to flight, and there was slain Priamus their King; departing from Sicambria they came into the Countrey of Germany, to a Nation the most inveterate against the Romans, and inhabited sometimes in Thuringia with Marcomicus the Son of Priamus, and Sunno the Son of Antenor. The same Story is related by *Aimonius*, *Ado* Archbishop of *Vienna*, *Gaguinus* and *Æneas Sylvius*, onely *Sylvius* mentions *Francion* for their Leader to the Fenns of *Mæotis*, and whereas he and *Ursspurgensis* say they came thence into *Thuringia* and *Franconia*; *Ado* brings them into the uttermost parts of the *Rhine*.

8. A story most a-kin of all others, to the British Romance of our *Geoffrey of Monmouth*. If *Æneas* and *Antenor* secured themselves, and got safe from the Destruction of *Troy*. What Poet, not to say what Historian mentioneth any other? Who ever made mention of any such Son of *Hector*, or any other besides *Astyanax* or *Scamander* and *Laomedon*? What Geographer ever found out such a City as *Sicambria* in the Fenns of *Mæotis*, or Historian met with their passage from *Troy* into that Countrey? The story of *Valentinian* his treating of them, and their removal into the inner parts of *Germany*, is as true as that he first gave them the name of *Franks*, and such a fardle of lies as none conversant in the Histories of those times can bear. Not one Authour or testimony can they produce for such an affirmation, but violate all order of times, making them so named first by *Valentinian*, and to have first passed into *Germany* in his time, whereas we can shew their name was known above one hundred and sixty years before, and they inhabited toward the lower parts of the *Rhine*, below *Colein* in the days of *Galienus* the Emperour. In the time of this *Valentinian*, who began his Reign about the year of our Lord four hundred

hundred and twenty. The *Alani* whom the *Franks* are said to have Expelled, lived not near the Marshes of *Mæotis*, but in the inner parts of *Germany*. In the *Chronicon* of *Prosper* published by *Pithœus*, we meet indeed with one *Priamus*, but this is no other than *Priamis* mentioned by *Ammianus Marcellinus* as we shall see hereafter. And whatsoever some produce concerning the Ruines of a City *Sicambria* near *Buda*, can alledge no greater Antiquity than the days of *Tiberius Cæsar*, during whose Reign *Sabinus Poppæus* making War against the *Thracians*, was assisted by the *Cohorts Sicambrica* as they seem to have read it, whereas *Tacitus* from a mis- *Annal. lib. 4.* understanding and wresting, of whom this fable is thought to be raised, calls it *Cohors Sugambra* which can make nothing for their purpose.

9. The opinion of *Johannes Goropius Becanus* is half as extravagant, who denying them to be the Posterity of the *Trojans*, or to have travelled from that Countrey, yet maketh them Originally of the Fenns of *Mæotis*, and thinks them the same that *Herodotus* mentions by the name of *Free Schytæ*. This his opinion he frames upon no argument, but a very weak conjecture of their free and large Extention, and propagation of themselves after the manner of Vines, upon which idle conceit he derives their name from *Vercancken* or *Vryancken*. As to the time and way of their March and Travel from the Marshes of *Mæotis*, he neither produceth any thing out of Antiquity, nor pretendeth any knowledge thereof, confessing his ignorance, and therefore as an idle fancy, his conceit is to be exploded. *John Bodin* *Method. Hist.* a very Learned Frenchman, but one who careth as little to make false Flourishes, and use adulterate Colours, to set off the lustre of his own, as to cast Dirt upon other Nations, denieth the *Franks* to have been the off-spring of the *Trojans*. And yet by strange ambages and wrested methods in conclusion derives them from that Original. That he may elude the testimony of *Tacitus*, who affirms the *Germans* to have been *Indigenæ*, and least of all others mixed by the Inrodes of other Nations, he makes a retreat and fetcheth all sorts of people from the *Caldæans*, in the Countrey of whom or near unto it, he supposeth the Ark of *Noah* to have rested. Betaking himself to *Moses* and the *Rabbins*, he layeth it down for granted, that the most fertile Countries were first inhabited, whence after mankind increased, Colonies were afterwards sent into more waste and barren places. Hence he gathereth that *Asia* and *Greece* were first peopled e'er the Northern places were replenished with Inhabitants; and thence concludeth, that the *Galls* received their Original from the *Greeks* and *Trojans*, and those same *Galls* overpowred in process of time with multitudes, and straitned by the narrowness of their Countrey, sent Colonies into *Germany* beyond the *Rhine*, from which Colonies being Inhabitants of *Francomia Orientalis* and Neighbouring unto *Gall*, he will have his *Franks* to have issued, and afterwards Conquered their ancient Countrey. And he takes that *Franconia Orientalis* beyond the *Rhine* for part (at least,) of those most fertile places of *Germany* whereof *Cæsar* speaks, occupied by Colonies of the *Galls* about the *Hercinian* Wood. *De bello Gallico, lib. 6.*

Their Seats where.

10. *Cæsar* indeed hath such a passage, concerning the *Galls* sending Colonies into *Germany*, but so far from asserting that this was done into void places, that he expresly saith that they had Wars with the Inhabitants, and that the *Volcæ Tectosages* seized upon those most fertile places, which indeed least of all could want possessours. It's a pretty shift in a controversie, to flie to the first Planters and Inhabitants of the World, in whom all Nations must needs be United. But why doth *Bodin* bring his *Franks* from the *Trojans*, having first denied that they proceeded from them? Will any one if he doth it, imagine that *Germany* and *Gall* were not Planted and Inhabited before the time of the *Trojans*? Were not the Sandy and hot places of *Africk* and *Arabia* inhabited by *Cain*'s Posterity, as soon as the more fruitfull Countries of *Asia* and *Europe*? If we granted as we readily shall, that the *Galls* sent Colonies into *Germany*, certainly he shall not constrain us to admit, that therefore the *Germans* were the Posterity of the *Galls*, more than the *Italians*, *Grecians*, and *Asiaticks* into the Countries of whom we reade that they sent out also many Colonies. But what trust is there to be given to *Bodin*, or what shall we think of his Cause, which must stand in need of not onely true but false and feigned Stories to maintain it? He cannot be content with a few Exemples which *Cæsar* and *Tacitus* supply him with, but must draw in *Polybius* to his Party, and make his Noble Authour speak that which he never said nor meant. Citing a passage out of the third Book of his Histories, that the *Boii*, *Eganes*, *Senones*, and *Avanes* passed over out of *Gall* into *Germany*, whereas it is most certain from the same Authour, that their removal was not into *Germany* but *Italy*, and as for both *Germany* and the *Rhine*, they were utterly unknown to *Polybius*. His fancy that *Ger-* *Fuit tempus cum Germanos Galli virtute superarent ultro bella inferrent ac propter hominum multitudinem agrique inopiam trans Rhenum copias mitterent, itaque eaque fertilissima loca circum Hercinium sylvam quam Eratosthenes & quibusdam Graecis notam esse video quam illi Ercineam appellant Volcæ Tectosages occupavunt, atque ibi consederunt inter Apenninum & Padum primo Avanes post Boii inde Eganes post Remones juxta Adriaticum mare extremi Gallorum omnium incolerunt, lib. 2.*

many

many was peopled from *Gall*, is not framed upon any Authority. It's probable they might both be inhabited by the same People, being both known by the name of *Celtæ* of old, and if *Strabo* be credited, the *Germans* being so called by the *Romans*, because they seemed the *Germaine* or true Brethren of the *Galls*. Certainly it is agreed on by most, that their Languages were Originally the same as in due place may be discovered.

11. But the Gallick Language was not the same with the Greek, if we may believe *Varro*, the most learned both of *Greeks* and *Romans* who affirm, that the *Massilienses* or Inhabitants of *Marseilles* in Provence speak three Languages, Greek, Latin, and the Gallick consisting of, or bordering on, so many Nations. For first Colonies of the *Phocenses* were thither sent out of *Greece*, then afterwards was a Colony from *Rome* there placed, and the *Galls* if not mixed with them, yet were their next Neighbours, which vicinity and a consequent entercourse must needs teach them the Gallick Tongue. But *Bodin* in deriving the *Franks* from the *Galls*, and bringing them out of *Franconia* where he will have the *Tectosages* to have taken up their Seats, is out both in his Geography and Chronology, for they first Inhabited about the lower parts of the *Rhine*, lower than the Colonie of the *Ubii*, where *Cæsar* and *Ptolemy* both place the *Sicambri*, then afterwards after many attempts Wars and alterations, having brought under all betwixt the *Rhine* and the *Meuse* with those about *Strasbourg*, the *Vangiones* and *Nemetes*, they invaded *Thuringia* and *Franconia*, called afterwards Oriental or Eastern in relation to the Western, which at this day is called *France*, whither as well as to other places they extended their Victorious Arms. Seeing therefore that before the very name of the Eastern *Franconia* was heard of, the name and people of the *Franks* inhabiting their most ancient Seats were very well known to the *Romans*, it ill becomes one who pretends to write a method and direction to others so far to forget himself, and to confound times in such a manner, either through ignorance, or more probable wilfulness. As for his *Tectosages*, it cannot be at all probable that they should doe such Exploits in the World, whom *Cæsar* witnesseth in his time to have been content with the possessions they had already gotten; whereas the *Sicambri*, *Suevi*, and others were formidable to all, both *Romans* and their Neighbours. *Beatus Rhenanus* his Opinion is rather to be admitted, who thinks they were feared upon the River *Nicer*, where as yet remains an old Castle called *Teck*, retaining the first Syllable of the Name, that People which some rationally Conjecture was the Remnants of those *Galls*; who are who pierced into *Greece* and *Bithynia*, called by *Stephanus Tolistoboi*, who are sometimes confounded with the *Tectosages*. In Conclusion, for what *Bodin* brings us out of *Ammianus* and *Cæsar*, we may repay him with Interest out of the same Authors, who tell us, that the *Galls* were partly *Indigenæ*, and partly came out of *Germany* from beyond the *Rhine*; either driven by War, or forced from their Seats by the Incroachments of a troublesome Sea.

Vid. Pontani Origin. Franc. lib. 1. c. 6.

Florus, l. 2. c. 11. Plin. l. 5. c. 32. Cæs. Bell. Gall. lib. 2. Ammia. lib. 15. Brasida memorant Gallos suisse populi partem Indigenam sed alios quoque ab insula confluxisse & tractibus trans Rhenanis, &c.

12. As this Frenchman out of his inclination to his own Countrey, makes Authours and Books speak that they never intended, so most *German* Writers out of the same Propension, will needs have *Franconia* the most ancient Seat of the *Franks*; and some of them for that purpose, make nothing of wresting a place of *Strabo*, where Βελγικὸν lying betwixt *Norici* and *Vindelici*, they will needs constrain to signifie *Franks*. But for Βελγικὸν, in that place they ought to reade Βέλνικον, as more agreeable to certain places in *Horace* and *Pliny*, and it's evident from *Florus*, that both the *Norici* and *Brenni* were People living about the *Alpes*, and so nothing a-kin to the *Franks*. Neither can *Melanthon* and *Pencer*, pollibly gather from those words of *Strabo*, that the *Brenni* inhabited betwixt the *Norici* and *Vindelici*, his words being these; *The* Vindelici *and* Norici *possess the exteriour Mountainous places for the most part, with the* Brenni *and* Genanni, *who now belong to the* Illyrici: So that their sight did much deceive them, who not being content to reade *Brenci* in the Room of *Brenni* and *Franci* instead of it, make also so strange a Transposition of places. Against these Opinions as well as others, which being of less moment it would be both tedious and needless to relate, it might suffice to oppose that of *Procopius*, which affects the Countrey by the *Franks* first inhabited, to have lain almost at the Mouth of the *Rhine*; where were many Marish Grounds. And that generally the *Panegyrists* in their Orations, tell of the Miracles exercised by the *Franks*, so that they must needs, not onely have lived near to the Mouth of the *Rhine*, but upon the Northern Ocean also, and as the *Panegyrick* to

Geogr. l. 4. Norici animos dabant Alpes atque nives, quo bellum non passet offendere: Sed omnes illius cardinis populos, Brennos, Stones atque Vindelicos per peruigilium suum Claudium Drusum perpacavit. lib. 4. cap. 12. Belli Gothici, lib. 1. Quid Ingum Francis ejus nationis ens olim Romani receperint, quos vagantes sed ejectos prius ex origine sedibus suis ultra barbaria litora Rhenus exegit, deserta Gallie Regionibus collocatos partem Romanis contra gentem Romanis imperii ultro, &c.

to *Constantine* the Great phraseth it, the farthermost Barbarian shores. To be sure *Eutropius* speaking concerning *Carausius*, tells us, that at *Bologne* in *Gall*, he undertook to scowre the Seas on the Coasts of *Belgium* and *Armorica*, which the *Franks* and *Saxons* by their naval Expeditions had infested. *Agathias* however, out in other things testifies that they lived about the *Rhine*. An old Chronicle belonging to *Holland*, written in *Rhyme* almost four hundred years agoe, speaking of them before they Conquered *Gall* called them *Rhine Franken*. But St. *Hierome*, who lived before either *Agathias* or *Procopius*, and e'er that the *Franks* had passed the *Rhine*, and in good earnest attacked *Gall*, describes their Seat most accurately in these Words: *Betwixt the* Saxons *and* Alemans, *a Nation not so great, as strong, by Historians called* Germany, *but at this day* Francia.

Sect. 1.

Initio Hist. apud Pontan. origin. Franc. c. ult p. 28. Inter Sennones & Alemanos gens non tam lata quam valida apud Historicos Germania nunc Francia vocatur in vita Hilarionis.

13. For understanding this place of St. *Hierome*, and clearing the Ambiguity of the word *Germany*; it's seasonable to remember, that whatsoever lyes betwixt the lower part of the *Rhine* and the River *Elbe*, and betwixt the Ocean and the *German Catti*, *Tacitus* the Historian calleth simply by the Name of *Germany* or *Germaines*, without any distinction of Superiour or Inferiour. He tells us, speaking of the Death of *Varus*, and the slaughter of the Legions that the *Germaines* revolted, which word can be taken for no other, than that Tract of ground now mentioned. In another place, he brings in *Tiberius* speaking of his Brother *Drusius*, and saying, that in no place except *apud Germanias* was the Title of a General, and a Laurel to be obtained. Neither can he be otherwise understood, where he describes the River *Rhine* flowing in one Chanel, till it come to the Borders of the *Batavi*; to which he adds, that, *Then it is divided into two Streams, and retains both its Name, and the violence of its Course, as it passeth by* Germany *flowing towards the* Gallick *shoar, in a broader and a gentler Stream.* In this Tract of Land called *Germany*, by a peculiar Name did the *Franks* inhabit, betwixt the *Saxons* and *Alemans*. For on the North and North East were the *Saxons*, the *Suevi* and *Alemans* possessed whatsoever lyes about the River *Meyne*, and the Southern part of the *Rhine*, almost as far as the *Danow*; whereupon the *Franks* must have been seated at the Western part of *Germany*, and of the *Rhine*. The *Saxons* therefore lay at their Backs, and the *Suevi* with the *Alemans*, closed their Eastern and Southern sides. *Orosius* tells us, that the *Saxons* being seated on the shoars of the Ocean, and unpassable Marishes, and making a dangerous Eruption into the *Roman* Borders, were in the Territories of the *Franks* overthrown by *Valentinian*. St. *Hierome* in the *Chronicon* of *Eusebius* at the Year of our Lord 389. notes that the *Saxons* were beaten at *Deuson* the Region of the *Franks*, which passage *Ammianus* who served under *Valentinian* at that time, placeth to the third Consulship of that Emperour, and his Brother *Valens*, *Pontanus* rationally conceiveth this *Deuson* the same, which succeeding Historians called *Duitsium*, at this day *Duyts* standing over against *Coloine*; where long agoe a stone was found in a Monastery, with an inscription importing that that Fortress was placed in the Land of the *Franks* by the Emperour *Constantine*, wherein Souldiers were to lye in Garrison for the defence of *Gall*.

Lib. 2. Apud principium Agri Batavi in duos annes Rhenus dividitur seraque nomen & violentiam cursus qua Germaniam præveluntur ad Gallicam ripam latior & placidior adfluens.

Annal. l. 1.

Lib. 2.

14. *Johannes Jacobus Chifletius*, a learned Physician of *Brussels* will have this place to be now called *Duisburck*, situate on the other side of the *Rhine*, about *Colonia Trajana* (a Village of *Cleve* at this day called *Kellen*) but *Micæus* in his *Chronicon* of *Belgium*, interprets *Deuso* as *Pontanus* doth in Latine *Tintinum*, and *Duyts* in the Language of the place. Whether it was this or that: The Provincial Chart which *Beatus Rhenanus* saith he saw at *Ausburg* in the hands of *Conradus Pentinger*, and drawn in the Reign of the later Emperours, reconcileth the difference. This Chart or Table published by *Ortelius* at *Antwerpe*, through the Care and Industry of *Marsus Velserus*; hath from the Mouths of the *Rhine* as far as *Coloine* all along (the said River designed so plainly, as well may be imagined) from the part of the great or Western *Germany*, this word *Francia* Characterized by Capital Letters, and towards the Mouths of the *Rhine* and the Northern Ocean, these *Chamani qui & Franci*, and *Chauci Vaplurii Chrepstini*, *Gregory Turonensis* makes the *Franks* opposite to *Ninesum* (or as *Micæus* hath it *Nonesium*) a Town now called *Nuys*, and seated upon the *Rhine*, as also to *Coloine*, or the Colony of *Agrippina*. *Aimoinius* also expresly writeth, that *Clodio* the second King of the *Franks* from *Pharamond*, held his Court at *Dyspargum*, the same Town which *Chifletius* takes for *Deuso*, called at this day *Duisburck*, and seated betwixt *Wesel* and *Dysseldorp*. For all the Nations whatsoever, inhabiting over against the Sun-setting, betwixt the Rivers *Rhine* and *Elbe*, though amongst themselves, they had their particular and distinguishing Names; yet generally, and taken all together, were at this time called by that of *Franks*.

Vindiciæ Hispanicæ, cap. 9.

Lib. 2.

Sect. 1.

15. It's certain, that these *Franks* amongst ancient Authours sometime go under the Name of *Sicambri*, other whiles of *Chauci*, and *Chamani*: As for the *Sicambri*, both *Suetonius* and *Tacitus* tell us, that *Augustus Cæsar* translated them into *Gall*, yet *Strabo* witnesseth that in his time, they were not quite and altogether removed out of *Germany*, saying expressly, that a little portion of them remained, and that they and the *Cimbri*, were most known of all the Nations inhabiting betwixt *Elbe* and the *Rhine*. Their Seat was probably, where at this day are the Territories of *Arnheim*, and *Velaniæ* (especially where it joyns upon the River *Isala*, now *Isel*) reaching farther towards *Coloine*, and stretching out wide as far as the Rivers *Luppia* (now *Lippe*) and *Rura* whereof that washing the Walls of *Wesel* falls into the *Rhine*, and this mixeth it's stream with the same River at *Duisburg*. But *Strabo* not onely placeth these *Sicambri* upwards upon the *Rhine*; but maketh them stretch also as far as the Ocean, which seemeth manifestly to contradict the Geography of *Tacitus*, who placeth the *Frisii* upon the Maritime Coast, from *Rhine* or *Isel*, as far as the *Chauci*. Yet must we stick to the Letter of *Strabo*, and with *Pontanus* easily suppose that in the time of that Geographer, and of *Cæsar* the Name of *Frisii* was unknown, and the same People known by the other of *Sicambri*, which was then so Famous as to strike Terrour into the *Romans* themselves. The words of *Strabo* do not a little confirm this Opinion, who makes mention of *Melo* a Captain of *Sicambri*, whose Name is no other than *Frisian*, as appears by several others, as *Bonmones*, *Poppones*, *Fanthones* and *Millones*, and as *Ubbo Enimius* a learned Historian hath evinced in his own Name. Neither doth *Tacitus*, seem at the least to weaken this Conjecture, from whom it is evident the Name of *Frisii* became famous in the Reign of *Tiberius*, upon the miscarriage of *Apronius*.

The *Franks* go under the Name of *Sicambri*, *Chauci* and *Chamani*.

Their Seats.

Lib. 7.

16. The *Chauci* had their Habitation from *Amasis* (or *Ems* all along the shore as far as *Elbe*) *Ptolemy* divideth them into greater and lesser, whereof these inhabited the shore betwixt *Amasis* and *Visurgis* (now *Weser*) and they that Tract lying beyond this River as far as the *Elbe*, so that *Tacitus* who maketh them to extend within the *Catti*, admires they should possess and fill so much Ground. The *Chamani* some call by the Name of *Camani*, by some thought the same with the *Campenses* or *Campani*, at this time differing onely in one Letter; now to come to our purpose. Poets do not onely call the *Franks* by the Name of *Sicambri*, but their Countrey, or *Francia*, also by that of *Sicambria*, as is notorious in *Claudian* and others. *Ausonius* includes them, in the other of *Chamani*: But all things considered, it's Judged that the *Sicambri* were the true and Germine Mother People (as one may say) of the *Franks*. First, if we consider the situation of both, as well the one as the other, having inhabited both the Banks of the River *Rhine* to the West, and the shores of the Ocean whence they had such opportunity of Piracy, that the *Franks* not onely therewith infested *Spain*, but vexed and plundered *London* the Metropolis of *Britain*, by their Incursions from their Ships, as the *Panegyrist* in many words expresseth it to *Maximian*, their Predecessours having in the time of *Probus* roved about the Coasts of *Greece*, *Asia* and *Africk*, whence they were driven back by the Garrison Souldiers of *Carthage*. Secondly, if we consider the Authority of the Ancients, not onely those of *Claudian*, and others formerly mentioned. *Trithemius*, the Abbat, makes mention of the saying of *Remegius* the Bishop, ingraven in a Marble and extant at *Rhemes*, who speaking to *Clodonæus* King of the *Franks* being about to be baptized, used these words, *Mitis deponas colla Sicamber*, or *O Sicamber, gently put down your Neck*; which passage *Gregory Turonensis* confirmeth, mentioning the very same words, but adding thereto, *Adora quod incendisti & incende quod adorasti: Adore what thou didst formerly burn, and burn what thou didst formerly adore*. And *Venantius Fortunatus* an Authour, rather more ancient, who flourished about the 570 year of our Lord, calleth *Choribert* King of the *Franks*, by the Appellation also of *Sicamber*. Neither do the several dispositions of each Nation compared together less persuade, concerning the same Original. *Strabo* noteth the Deceitfulness of the *Sicambri*, and *Vopiscus* taxeth *Franks* with unfaithfulness. The *Sicambri* were so dreadfull to the *Romans*, that *Augustus*, having composed all other differences throughout the World, yet delayed to shut the Temple of *Janus*, because they committed some Hostility against the *Galls*, and their Neighbours upon the *Rhine*. No less terrible, in following Ages, were the *Franks* not onely to the Neighbouring *Saxons* and *Alemans*, but the *Romans* themselves, which *Egonhardus* Chancellour to *Charles the Great* testifieth to Posterity; writing also a Proverb, that, *One should chuse a* Frank *for a Friend, but not for a Neighbour*: We might add much concerning their Apparel, their manner.

The *Chauci* where.

Consule Pontanum ut supra, lib. 2. c. 5.

Τον φιλον χρη ἐχειν, ου τον γειτονα.

ner of Living, the Adornment of their Bodies, especially the wearing of their Hair. But these things in another place will be more convenient. Sect. 1.

17. But having been so large in these former Discoveries, we cannot well pass the matter over, without taking notice of a more late Division of our *Franks* into several Tribes or Divisions, *Ansuarii* and *Salii*, as we have them marked out by *Ammianus Marcellinus*. *Pontanus* thinks them the same with the *Ansinarii*, whereof *Tacitus* maketh mention, who having been beaten out of their Habitations by the *Chauci*, got Possession of those Territories, out of which the *Frisii* had been driven by Command of *Nero*. The Historian calleth them a more powerfull Nation, than that of *Frisii*. And *Pontanus* judgeth them to have been a People without any certain place or Possession, ready to joyn themselves to any other as they could find it Advantageous. That by Virtue of this Principle at such time as the remainders of the *Sicambri*, and the other *German* Nations lying toward the Northern Ocean, changed their former and ancient Names for the more honourable Name of *Franks*, these *Ansuarii* being given to Arms, willingly associated themselves with the said *Franks*, jointly to assert their ancient Liberty against any whomsoever, and hereupon, though received as Partakers in the common chance of War and Fortune, yet did they so far still receive their old and honourable Name, that they would be called *Ansinarii Franci*; whether one might not gather from this passage of *Pontanus*, that his Judgment at the writing thereof was for the Name of *Franks* to be derived from their profession of freedom, rather than a sort of Weapon, as in another place he expresseth himself, we leave it to the Reader to judge. But these *Ansuarii* were inrolled amongst the *Roman* Auxiliaries, being in the *Notitia* of the Empire read *Arupsinarii*, and reckoned among the *Palatine* Guards.

A division of the *Franks* into *Ansuarii Franci*.

18. What the Original of these *Ansuarii* was, seeing Antiquity is therein silent, and whence they had their Name, we can onely conjecture. The Etymology of the word seemeth to point at something extraordinary, which, if it be written *Hansuarii*, with an aspiration, a thing neglected and omitted both by *Greeks* and *Romans*, then it betokeneth some thing noble and excellent, *Hansi* in the *Teutonick* and *Gothick* Idiome, signifieth those who in Fortune and Riches excelled other Mortals, as being rather of an Heroick Nature, and transcending the ordinary bounds of humane capacity. *Jornandes* saith expressly, that the *Goths* having overthrown the *Romans*, and slain *Fracus* their Captain, *named their Noblemen, as those who had conquered Fortune it self, not mere Men, but Demy Gods, that is to say*, Hansis. Neither is this signification of the word wholly at this day abolished, signifying also such Gentle or Noble Men as are elevated above the common and ordinary sort. *Anshelm*, *Ansbrecht*, *Answald* and *Ansfrid*, seem to challenge no other Original, as neither the *Teutonick Hanse*, or the *Hanse Towns* of *Germany* associated and united, as it were, with the League and Oath of the *Ansinarii*. This Etymology much more suiteth those Towns than either that of *Anzee*, as it were *situate upon the Sea*, seeing that most of them are at a considerable distance from the Ocean, or the other of *Goropius Becanus*, who will have them derived from *Anse*, signifying *Society*, from the *German* word *Anse* to *look back*. For it appears by sufficient Testimony, that the *Ansinarii* were, both as to their Nation, and by reason of their Arms, Men of Reputation, but though in one Society scattered here and there, without any certain Seat or Habitation; and so are these Towns separated far from one another, four of them onely are Metropolitical, *Lubeck*, *Dantzick*, *Brunswick* and *Colen*, yet seventy two they are reckoned in number, many other famous Towns having been of old time joyned with them in the communication of Rights and Privileges.

19. The *Salii* were the other sort of *Franks*, who having invaded *Taxandria*, (now *Brabant*, the place where we reside at the writing hereof,) lying betwixt the Rivers *Meuse* and *Sceld*, were driven back by *Julian* out of these *Roman* Territories into their own place, as *Ammianus* relateth. Some, as *Beatus Rhenanus*, derive them from a River *Sala*, which falls into the *Meyne*. Others, as *Paulus Æmilius*, fetch them from *Sala*, which empties it self into *Elbe*. But *Pontanus* rationally concludeth, that from neither of these *Sala's* could the *Franks* be so denominated, because the one runs through *Thuringia*, and the other through *Franconia*, (afterward so called) whereof a great part of the former, and all, or most, of the latter, were at that time held and possessed by the *Alemans*, *Ammianus* hinting as much, where he writes, that the *Bucinobantes*, a Nation of the *Alemans*, inhabited over against *Moguntiacum*, or *Mentz*, near to the *Alemans* the *Burgundiones* inhabited in these ancient times, it being out of the Road of all true Antiquity to suppose the

And *Salii Franci*.

Lib. 16.

Lib. 19.

Sect. 1. *Franks* then held any part of these Countries, their Seat being Westward, and lower down upon the *Rhine*, which appears partly from the same *Ammianus*, who adds, that whilst *Julian* was busie against the *Alemans*, the *Franks* taking that opportunity from their own Seats, over against *Colein*, passed the *Rhine*, and fell upon *Juliacum* (now *Juliers*) and the *Rhemi* or *Rheims* in *Champagne*. It is not worth the while to relate how *Sidonius Apollinaris* derives the word from the Latine *Salio*, as if their Leaping and dancing had procured this appellation. But much more extravagant is that of *Goropius Becanus*, who, according to his Custome of strange allusions, will have them named *Salii*, from *Sala*, the Ornaments of Horses, or from *Sadell*, as it is in Dutch, or *Sadle* in English, as if they first had invented and fitted it to Horses.

20. That is most rational which *Pontanus* brings of the *Salii* being so denominated from the River *Sala*, at this day called *Isala*, or *Isel*, near, or upon, which they inhabite. Hence is also to be deduced the name of *Sallandia*, or the Countrey lying beyond this River *Isel*, it signifying no more but the Land or Territory of *Sala*. *Zorimas* the Historian speaking of *Julian*, by occasion, maketh mention of the *Salii*, who being part of the *Franks*, and driven by the *Saxons* from their Seats, passed over into the Island of the *Batavi*, bordering upon them. And *Claudian* the Poet makes them to have inhabited upon the *Rhine*, and there where it divides it self into two branches, over against which place that River of *Sala*, or *Isel*, floweth; so that the Countrey of these *Salii* not onely comprehended what as yet bears the Name of *Solland*, but took up also part of that we now call *Westphalia*. These *Salii* also, as well as the *Arupinarii*, were enrolled amongst the *Palatine* Auxiliaries. But from all the disquisitions laid together, we may take a short view of the ancient Seat of our *Franks*, and conclude with *Pontanus*, the old *Francia*, comprized not onely all the space beyond and over against *Colonia Vbionum*, (or *Couleines*) betwixt the *Rhine* and the ancient *Sala*, (the old Seat of the *Sicambri Rhenenses*) at this day taking in part of *Westphalia*, and the Dukedom of *Cleve*, but also the whole *Transisulania*, and what ground soever, as far almost as the utmost *Chanci*, *Teucteri*, *Tubantes* and *Bructeri*, both the greater and lesser *Phrygians* possessed, which at this time are called *Zatphenians*, *Drenterians*, *Tuentenians*, the *Western* and *Eastern Frieselanders*, a large, ample Territory, and inaccessable of old time, by reason of Fenns and Woods about the River *Visurgis*, now commonly called the *Weser*. Neither was there any other *Franks*, or *France*, known to *Trebellius Pollio*, *Vopiscus*, *Ammianus Marcellinus*, *Eutropius*, *Ausonius* and *Claudian*, Poets, the most ancient Authour of *Pentingers Table*, or other Historians, Geographers, or Panegyrists, to the Age of *Valentinian* the third.

21. Having discovered their Original and ancient Seat, we shall now take notice of such Affairs as the meanness of their Condition by degrees presents unto us. And by the way, though we seek for truth and reality, yet we cannot but take a little notice of the Romantick stories which are dependents of their *Trojan* Pedegree. *Hunibaldus* is the blazoner of these false pretended Titles, who though by consent of all judicious and understanding Men he be accounted no other than what he is, fabulous even to Barbarism, yet some have not been wanting to receive, publish and cry up his Lyes, and amongst the rest, *Trithemius*, the *Spanhemian* Abbat, who as his great admirer, epitomized eighteen Books of his Histories, and fears not to call him the *Solid Historiographer of the Franks*. But the Fountain of *Trojan* Vanities is of such a depth, that it hath afforded matter for all sorts of Cheaters, thence to draw and obtrude upon the World, out of which abyss many, both *French* and *German* Writers, following the Dictates of their Master *Hunibaldus*, derive a Series of *French* and *Sicambrian* Kings, ancienter not onely than the Age of Christ, but that of *Alexander* the Great. Of these Kings they make two Ranks, some being *Bostpharians*, and of the Race of the *Trojans*, who, being accounted strangers, were reckoned amongst the *Sicambri* by the *Germans*. He that leads the dance is *Marcomirus*, in whose Reign the *Trojan Scythiæ* (afterward *Franks*) descended through the Countrey of the *Saxons* into *Germany*, and near the mouths of the *Rhine*, (where now the *Westfreislanders*, those of *Gueledrland* and *Holland* do inhabite) four hundred and twelve years before the Birth of Christ, died in the twenty eighth of his Reign, and twenty one after their descent into *Germany*. After him, in good rank and order, follows his eldest Son *Marcomirus*, in the Year of the World 3500, who deserves special notice to be taken of him by us, because he married, you must know, *Cambra*, the Daughter of *Belinus*, one of our *Geffrey of Monmouth's* Kings of *Britain*; from which Woman the People was called *Sicambri*.

Lib. 3.

Funccius, Guinus, Lazius, &c.

A Catalogue of *French* and *Sicambrian* Kings by *Hunibaldus*.

22. After

22. After him those *Sicambrian* Kings took their places. *Priamus*, one of *Trojan* Race, *Helenus*, *Diocles*, a most doughty Champion against *Goths* and *Galls*, *Helenus* the second, who being good for nothing, was forced to give his Diadem, and resign his Chair to his Brother *Basanus*, a very brave Man, who built the Castle *Basambucum*, in the Countrey of *Juliers*. Him followed *Clodomirus Nicanor*, *Marcomirus* the Second, *Clodius*, *Antenor* the Second, another *Clodomirus*, *Merodacus*, *Cassander*, and *Antharius*, who brings up the rere of this first Rank or Order. His Son *Francus* begins the Second, from whom our *Sicambri* were named *Franks*, who making a perpetual League with the *Germans*, *Saxons* and *Doringi*, the *Romans*, were so affrighted therewith, that they sent an Army against the *Saxons*, the Leader of which, *Lollius*, was slain by *Clodio*, the Son of *Francus*, as *Lazius*, *Funccius*, and others, tell the story. *Clodio*, or *Clogio*, as well he deserved, succeeded his Father, in whose tenth year, they tell, our Saviour Christ was born, and who stoutly demeaned himself against *Tiberius* the Emperour. He was succeeded by *Heumerus* his Son, whom followed *Marcomirus*, *Clodomirus*, *Antenor*, *Ratherus*, who, after many Wars against the *Galls*, built *Roterdam*, (rather *Ratherodam*) and so we are to him beholden for *Erasmus*, that three-tongued *Coryphæus*, as *Lazius* calls him. Next comes *Richimerus*, who fought stoutly against the *Galls* and *Romans*; after him *Odemarus*, who took truce with the Enemy, *Marcomirus*, by whom *Francfurt* was built, or rather, now named, being formerly called *Helenopolis*, *A. D.* 149. After him are reckoned *Clodomirus*, *Pharabertus*, *Sunno*, *Hildericus*, in whose time it became a Proverb, *Das ist ein gut all Franchisck werck*, because then our *Franks* applied their minds to building. Then did *Bartherus* take the Sceptre, in whose tenth Year, when the *Romans* under *Galienus* had given themselves up to Idleness and Luxury, the *Franks* undertook an Expedition into *Italy*, destroying all with Fire and Sword as far as *Ravenna*. And afterward assisted by the *Saxons* and *Bavarians*, they invaded *Gall*, whence marching by *Tungeren*, and so through the *Bellonaci*, or *Beannieisin*, beyond the *Seine*, they passed with flying Colours into *Spain*.

Sect. 1.

23. The next King in order was *Clodio*, during whose Reign the *Franks*, for the space of seven years, possessed a great part of *Gall*, about the Year of our Lord 298. Him followed *Waltherus*. *Dagobert*, and another *Clodio*, who fighting valiantly against the *Romans*, was slain on this side the *Meuse*, *A. D.* 319. He was succeeded by his Brother *Clodomirus*, in whose time the *Thoringi* offered the *Franks* a large part of their Countrey, lying betwixt them and the *Suevi* on condition of being protected against Invasions and Injuries of these potent Neighbours. The *Franks* closing with this offer, about thirty thousand armed Men, with their Families, departed into this new Countrey, under conduct of *Genebaldus*, the King's Brother, with that condition, that this Colony should ever remain in obedience under command of the *Franks*. And so began the Dukedom of the Oriental *Franks*, who were governed four hundred and fourteen years by twenty Dukes, descended of the same Stock successively. But after *Clodomir* followed *Richimir* his Son, in whose time a fight was fought betwixt the *Franks* and the *Romans*, under conduct of *Tiberianus*, *A. D.* 338. Next *Richimir* came *Theodomir*, who in the Tenth Year of his Reign was, together with his Mother, taken by the *Romans*. At this time the Kings of the *Franks* dwelt in the borders of the *Timgri*, beyond the River *Meuse*, in a Castle anciently called *Duilspergi*, from the Borders of the *Franks* the *Galls* inhabited as far as the River *Ligoris*, or *Loire*, beyond which reigned the *Goths*. After him came *Clodio*, in whose time *Julian* had War with the *Alemans*, and the *Franks* possessed *Gall*, as far as the River *Seine*, and *Valentinian* fought with the *Saxons* in their Borders, on this side *Odera*, not far from the Sea.

24. The next in order was *Marcomirus*, during whose Reign *Jubalchus*, with fifteen thousand *Franks*, was cut off in *Aremorica*, or *Little Britain*, by *Maximus* the Tyrant. And *Marcomir* himself was slain, *A. D.* 393. by the *Romans*, who invaded the *Franks* under Conduct of *Valentinian*. After him (who left no Son behind him) was his Brother *Dagobert* created *Interrex*, in whose time *Valentinian* named them *Franks*, rather for their Fierceness than their Liberty. The second *Interrex* was *Genebald*, after whom *Pharamond*, the Son of *Marcomirus*, Duke of the Oriental *Franks*, was preferred to the Kingdom, *A. D.* 419. His Son *Clodio* reigned twenty Years, and having invaded *Gall*, died in the Year 446. His Son *Meronius* having governed with much honour, died *A. D.* 458. though *Jornandes* and *Sigonius* place his Death at the Year 455. Him succeeded *Hildericus*, who warred with the *Alemans*, who then inhabited betwixt *Italy* and the *Suevi*, and died in the Year 484. or, as *Sigonius* hath it, 481. Lastly, after him reigned *Clodonæus*

thirty

Sect. 1. thirty Years, who overthrew the *Alemans*, and being baptized by *Romigius*, died in the Year of our Lord 514. Hitherto *Trithemius* extendeth the Hiſtory of thoſe Kings which *Hunibaldus* had digeſted into eighteen Books, from whom alſo he affirms, that thoſe *Franks* in the City of *Troy* ſpake the Language of that Country, in *Scythia* the *Scythian* Language, in *Germany* the *German* Tongue, and in *Gallia* that of *Gall*, in like manner as *Æneas* at *Troy* ſpake the *Trojan* Dialect, and in *Italy* the *Italian* Language.

25. Though *Trithemius*, with his Companions, *Lazius*, *Beroaldus*, *Roſiniocus*, and others, give credit to thoſe tales, induced, as they imagine, by the Antiquity of *Hunibaldus*, the broacher of them, who as they believe him, himſelf flouriſhed in the days of *Clodonæus*, five hundred Years onely after Chriſt, yet can they bring no Evidence, onely his ſingle Teſtimony, which in a Man's own behalf is not to be regarded. On the contrary, it is objected againſt him, that beſides the ſtaleneſs of the *Trojan* Project, which at the firſt ſight the wiſeſt Men are apt to reject, there are very probable, not to ſay pregnant, Arguments againſt his Antiquity. It is *Vid. Pontan. Orig. Franc. lib. 3. cap. 3.* firſt alledged, that his ſtyle was barbarous, and favours not at all of that Elegancy which yet, in that Age, the Latine Tongue retains, as appears in *Boetius*, *Sidonius Apollinaris*, and others, of whom he is a pretended Contemporary. His talking of *Roterdam*, that noble Town of *Holland*, diſcovers the cheat, which being ſo named from the River *Rota*, or *Rotera*, (as *Amſterdam* from *Amſter*, on which it is ſeated) not yet four hundred years ago, as *Hadrianus Junius*, and others, have obſerved, he yet mentions *Ratherus*, the pretended founder, his twenty third King in order, whom he Lyes there in the eighty ninth year of Chriſt. Who can be ſo ſtupid as to believe him, that if this City had been built at that time, by ſo great and eminent a King as he makes him, *Tacitus*, *Dio*, *Suetonius*, *Pliny*, and the reſt of the *Roman* Hiſtoriographers, who are very curious in their Remarks upon theſe *Batavian* Countries, would not both have mentioned the Building of the Town, within the *Roman* Pale, and committed to poſterity the Records of ſo great Exploits, as *Hunibaldus* will have this King to have performed againſt the *Romans*? It is alſo a wonder not eaſily to be removed, that *Gregory Turonenſis*, who lived ſix hundred years after Chriſt, and conſequently was *junior* to this *Hunibaldus*, who makes ſuch diſquiſition, and took ſuch pains in ſearching out any thing that might conduce to the diſcovery of the Affairs of the *Franks*, the Names and Succeſſion of their Kings, ſhould not in the leaſt mention *Hunibaldus*, nor take notice of a Catalogue of Princes, ſo elaborate and formally digeſted.

Compared with other Authours. 26. But if we examine a little his particular Stories, we ſhall find them altogether diſſonant to the courſe of Hiſtory and Geography, and diſcover them to be *Chimæra's* of an idle and impotent Brain. Firſt, he brings *Marcomirus* the King, out of *Scythia*, whereas his Name is merely *German*, and moſt of thoſe of the ſame *Claſſis* no other than plain *Greeks*. He makes him paſs through the Territories of the *Saxons* to the Mouths of the *Rhine*, as if the *Scythæ* and *Saxons* had been Neighbours, and as if there had been ſuch a Name as that of *Saxons* above four hundred years before the Nativity of Chriſt. Yet there hangeth a tale by this ſtory. *Ado Viennenſis* writes, that in the days of *Valentinian* and *Valens*, the *Franks* paſſing from *Sicambria Mæotidis*, came to the utmoſt parts of the *Rhine*, and there, with their Captains, *Marcomirus* and *Sunno*, took up their Habitation for ſome Years. Which paſſage this Impoſtour hath corrupted to his own Deſign, placing that ſeveral Ages before Chriſt, which indeed in no Age ever happened. It is very fond Geography for him to place the *Sicambri* near the Mouths of the *Rhine*, where now the *Hollanders*, thoſe of *Guelderland* and *Weſtfreiſland* inhabite. Who would not imagine that he was contemporary and acquainted with our *Geoffrey* of *Monmouth*, and that they too made up the match betwixt *Antenor* and *Cambra* the Daughter of *Belinus*, King of *Britain*, from which the *Sicambri* were forſooth ſo named? They two, and *Beroſus*, (whom *Annius* of *Viterbo* raiſed from the dead) were certainly Companions, and rare Heralds, in deriving the Pedegrees of People, Cities and Perſons, from unknown and unheard of Records. But if they were named *Franks* firſt from *Francus*, the firſt King of the ſecond *Claſſis*, what then becomes of *Francion*, the Son of *Hector*, from whom they muſt have been denominated in the *Trojan* times? but as well from the one as the other; for though this *Francus* is ſuppoſed to have reigned above thirty ſeven years before Chriſt's Nativity, yet at that, and for ſome time after, the Name of *Franks* was utterly unknown, and that of the *Sicambri* very much flouriſhed, till the latter end of the Reign of *Auguſtus*, who, under the Conduct of *Tiberius*, tranſlated a part of them that had yielded, from beyond the *Rhine* into *Gall*.

27. His

Sect. 1. 27. His ſtory of *Lollius* is ridiculous above meaſure, both as to matter of Hiſtory and Geography. Firſt, it is not probable that the Name of *Saxons* was up at that time, if it were, how could *Lollius* come at them, who yet in the days of *Ptolemy*, the Mathematician, lived beyond the River *Elbe*, without invading and infeſting other Nations of *Germany*. But *Lollius* neither invaded *Saxony*, neither obtained any Victory, nor was ſlain in any Rancounter in theſe parts, or elſewhere. For as *Dion Caſſius* expreſly writes, the Battel was fought on this ſide the *Rhine*, (*Germania Cisrhenana*) theſe Nations of *Germany*, *Sicambri*, *Uſipetæ* and *Teuctери*, having paſſed over that River, and circumvented not the Perſon, but Forces of *Lollius*, upon whoſe preparations for a freſh encounter, they retired into their old places, and *Lollius*, as is evident from *Velleius Paterculus*, was afterwards appointed by *Auguſtus*, Governour to *Caius Cæſar*, his Grandſon, who then warred againſt the *Parthian*, in which Expedition he died. That which follows concerning *Clodio*, Son of this *Francus*, agrees as well as the other with the ancient and authentick *Roman* Writers, from whom it is alſo as evident, that he could not fight with *Tiberius* in the fourth Year of his Reign, who as then had nothing to doe with the *German* War, it being managed by his Brother *Druſus*, as yet living. His ſtory of *Hilderick* his thirty Kings muſt needs provoke Laughter, in whoſe Reign he ſaith the *Franks* firſt began to build and apply their minds to Architecture, whereas he had formerly mentioned the building of *Roterdam*, by *Roterus* his twenty third King, and of *Francfurt* by *Marcomirus* his twenty ſixth in order: Concerning *Bartherus* their King, under whom they ſhould have invaded *Italy*, there is not one ſyllable to be found in any Authour. Neither of *Genebaldus* his leading a Colony into *Thuringia*, and there ſettling a Dukedom in the three hundred and twentieth Year of our Lord, that Countrey being at that time poſſeſſed by the *Alemans* and *Suevi*, neither the Name of *Thoringi* being as yet known. The Caſtle *Duytsburck*, where he writes the King of the *Franks* to have lived, was not in *Thuringia*, but below *Coloine*, ſituate in *Germany* the Great, and upon the *Rhine*, not on the *Meuſe*, as this learned Geographer ſeems to place it. Still as good ſtuff he writes on the *Saxons* being overthrown by *Valentinian* on this ſide *Odera*, which runs its courſe beyond *Elbe*. His Memory, contrary to the Art of Lying, is very bad, in telling the Tale concerning *Valentinian* his naming the *Franks* from their ferocity, having formerly derived the appellation from his doughty King *Francus*. His *Dagobert's* Perſon is a fiction, as well as his Office of *Interrex*. Indeed in *Thuringia* are many footſteps of ſuch a Name, as *Dagoberſtera* near *Ertford*, and *Dagoberthuſa* near *Marpurge* in *Haſſia*, and another Village of the ſame Name near to *Coloine*, but theſe received their name from other *Dagoberts*, whereof one lived in the Year 632, and the other 716. when the Name of *Oriental France* came to be in uſe, and the *Franks* poſſeſſed all *Thuringia* or *Franconia*, whereas at this time of this ſuppoſed *Dagobert*, or *A. D.* 394. there was no ſuch thing as *Orientalis Francia*, or *Franconia*. But this Impoſtour, perhaps a Native of this Countrey long after, as well as others in later times, to doe it honour, hath not been ſparing to obtrude falſe and coined ſtories upon the World, and brings this *Dagobert* out of that place to inſert him amongſt the Kings of the *Franks*, that from him paſſing to *Genebald*, he might from *Genebald* bring the Title and Honour upon *Pharamond*, as derived from his Dukes of *Oriental France*.

28. Having already been more tedious than the nature of our deſign may ſeem to require, induced by the Greatneſs and Glory of the *French* Nation, in diſcovering the cheats of *Hunibaldus*, and his Companions, we ſhall addreſs our ſelves to the ancient Monuments of authentick Writers, and thence ſee what may be had concerning the true Series and ſucceſſions of their Kings. To let paſs thoſe of the *Sicambri*, whilſt that Name onely obtained, and come to the time of *Galienus* the Emperour, in whoſe Reign the Name of *Franks* became firſt to be known, the firſt we meet with in any good Authour, that have the Title of Kings, after that time, are *Genebaldus* and *Eſcateck*, during the Government of *Diocletian*, *A. D.* 288. being both named in a Panegyrick of *Mamertinus* to that Prince, and *Maximian* his Collegue. After them are to be found *Aſcaricus* and *Radagiſus*, the ſame *Maximian* governing the Empire, together with *Conſtantius*, *A. D.* 292. who breaking the Peace made with *Conſtantius*, were too cruelly puniſhed by *Conſtantine* the Great, his Son, as *Eutropius* writes, being caſt to wild Beaſts, which Fact yet *Emnonius*, the flattering Panegyriſt, extolleth. In the days of *Couſtantius*, the Son of *Conſtantine*, *A. D.* 342. we meet with *Malarichus* whom *Pontanus* judgeth a King, though called onely by *Marcellinus* the Rector of his Countreymen in the Emperour's Palace, for *Conſtantius* thought it better Policy to oblige them by good turns, and by promoting them to

Genebaldus the firſt King of the *Franks*.

Aſcaricus and *Radagiſus*.

Malarichus.

Lege Pontan. ubi ſuprà, lib. 3. cap. 6.

Honours

Sect. 1.

Melbandus. Honours to keep them in quiet, and use them against the *Alemans* and other *German* Nations, than to imitate the severe example of his Father. After him *Melobandus* flourished with the Title of Tribune in the Court of *Constantius*, who in the Reign of *Valentinian*, *Valens* and *Gratian* was King of the *Franks*, at that time the good Friends and Allies of the Empire, and as *Ammianus*, an Eye-witness, tells us, was *Comes Domesticorum*, and a very valiant Man, by whose conduct the *Romans* had a great Victory over the *Alemans*, whereof a great number was slain, together with *Priarius* their King, and *Gratian* improving the Victory, passed over the *Rhine*, and there atchieved so much Renown, as the Awe thereof continued in Peace the Western parts of the Empire. Neither was *Melobandus* less valiant and victorious at home, *Ammianus* giving him the name of *Bellicosus*, and for farther confirmation, relating how *Macrianus*, King of the *Alemans*, invading *Francia*, was circumvented and slain by his Arts and Policies.

Richomerus. 29. The next that follows is *Richomerus*, or else *Theodomerus* his Son. *Richomerus* was *Comes Domesticorum* to *Gratian*, and did many eminent Services for the *Romans*, but it should seem from *Gregory* of *Tours*, the Historian, that *Theodemerus* revolted, and practising something against them, was put to death, with *Ascila* his Mother. *Richomerus* was Consul the last Year of *Gratian*, *A. D.* 384. so that the death of his Son must have happened afterwards, in the Reign of *Theodosius* or *Arcadius*, about the Year 400. These two were succeeded by *Marcomirus* and *Sunno*, two Brothers, who are mentioned in the Affairs of *Valentinian* the younger, presently after the Death of *Gratian*. *Gregory* adds *Genebaldus*, a third to them, concerning whom, forasmuch as the History of *Salpitius Alexander*, whom he cites, is lost, nothing can be certainly affirmed. But as for the other two, their valiant Exploits are upon Record, especially those of *Marcomirus*, who at such time as *Maximus* was besieged in *Aquileia* by *Theodosius*, invaded the Lower *Germany*, and making great havock with Fire and Sword, struck great terrour into those of *Coloine*. Afterwards he was banished into *Hetruria*, and his Brother *Sunno* appearing in his behalf, was made away by the People. From this *Marcomirus* (counting from that time when he is first mentioned in History, during the Reign of *Theodosius*) unto *Pharamond*, are reckoned about thirty years, which might give occasion to several Chronologers, as *Sigebert Gemblirensis*, *Ado Viennensis*, and others, to think *Pharamond* the very same of *Marcomirus*, although there be no certain testimony of such a thing to be discovered in Antiquity; for neither *Gregory Turonensis*, nor the *Chronicon* of *Prosper*, (which *Scaliger* calleth *Consulare*, and hath added to the later *Chronicon* of *Eusebius*) make mention of *Pharamond*. But of *Clodio*, whom they make the second King of the *Franks*, after *Pharamond*, both *Gregory*, *Sigebert*, *Ado* and *Sidonius Apollinaris* his Contemporary makes ample mention, though sometimes for the verses sake called *Cloro*, now *Clodius*, otherwhile, as by *Cassiodorus*, *Hlodonicus*, and *Clogio*, but by *Aimoinius*, as he is now commonly read expresly *Clodio*. After him are reckoned *Meroneus*, *Hildericus* and *Clodonæus* (or *Hlodonicus*, as *Remigius* calls him) the first Christian King of the *Franks*.

In Consulatibus legimus Theodemerum Regem Francorum filium Richomeri quendam & Ascilam Matrem ejus gladio interfectos.

Marcomirus and Sunno.

Pharamond.

Clodio.

Meroneus. Hilderich.

SECT.

SECT. II.

The Atchievements of the Ancient Franks, *from the Reign of* Genebaldus, *to the Death of* Childerick.

The space of one hundred ninety six Years.

Sect. 2.

1. FROM the time of *Gallienus* and *Valerian*, wherein the *Franks* were first known to the World, to the Reign of *Clodio*; from which, or else from *Pharamond*, the Modern *French* Historians begin their Annals, passed about one hundred and seventy Years, in which space of time very Eminent Actions, and great Atchievements were performed by them, on both sides the *Rhine* against the *Romans*. Those effects of theirs tending to the Destruction of the Western Empire, and at length effecting it in a great measure, are already described and illustrated in their proper place, and therefore we shall but here give the Reader a short view of them, for the recalling of them to mind, by presenting him with a short Recapitulation: The first thing therefore we hear of them, is, that they assisted *Posthumius* against the Emperour *Gallienus*, and after that, as well the Traitour as the Prince was slain, fell in upon the Fortifications, and demolished those which had been raised by the same *Posthumius* seven years before; being by *Trebellius* the Historian, sometimes called *Franks*, sometimes *Germans*. Under *Valerian* they passed the *Rhine*, and undertook an expedition of no less Consequence, but were after much Mischief done to the *Romans*, set upon by *Aurelian* at unawares, who slew of them seven hundred, and sold three hundred for Bond-slaves. Some of them served yet under this *Aurelian*, when he was sent Vicar to *Ulpius Crinitus* in the East, but when their Countreymen grown bold upon the absence of the *Romans* from the Borders, roved through *Gall* as far as *Spain*; he being now declared Emperour, clearing all *Gall* of them, drove them back into their own Countrey, and restored the Limits of the Empire (*viz.* the *Rhine* and those parts about it) to their Ancient quiet and Security.

The Franks assist Posthumius against Gallienus the Emperour.

Passing the Rhine, are beaten by Aurelian.

2. But this quiet and security, continued not long, nor *Gall* free from their Incursions, which in the Reign of *Tacitus* and *Florianus* they renewed, and presently were with much violence prosecuted by *Probus*; who was resolved to clear both the upper and lower parts of the *Rhine*, of such ill Neighbours, which made him joyn with *Proculus* and *Bonosus*, who took then upon them the Purple at *Coloine*: Yet did they betray *Proculus* to him, who had fled to them, and pleaded Kindred with them, as *Vopiscus* writes. *Probus* having taken many of them Prisoners upon Promise, as it seemeth, of quiet and dutyfull demeanour, gave them a Territory to inhabit about *Propontis*; but they making as little Conscience of their Faith to the *Romans*, as those did of their Fidelity to their Princes, and acted by that itch of Glory and Wealth, which in these late Ages had so irritated those Northern Nations, seized on a great Company of Vessels, wherewith they roved about the Coasts of *Asia* and *Greece*, invaded *Sicily*, and took *Syracuse* it self, so Famous for it's naval Victories; then Coasting about, and doing much damage to the Coasts of *Africk*, they were at length repulsed, by the Garrison Souldiers of *Carthage*, and passing through the *Straits* of *Gades*, came back by the Coasts of *Portugal* and *Spain* into the Chanel, and so into their own ancient Countrey, which lay part upon the *Rhine*, and part upon the British and Northern Ocean. But upon report, of the Death of *Probus*, both they and the *Saxons* thought they had an opportunity put into their hands, which they improved to good purpose by Inrodes, made into the *Roman* pale; for *Carausius*, whom *Diocletian* had sent against them, bore himself rather as one that would part stakes with them, watching his opportunity how he might seize upon *Britain*, and assume the Title. The *Franks* therefore making use of this Distraction, infested the *Roman* Empire both by Sea and Land, and

Zosim. lib. 1.

They seize of part of Batavia.

Sect. 2.

seize upon the more Maritime parts of *Batavia*, where they fix themselves: This and other Difficulties, caused *Diocletian* to make *Maximian* his Collegue, who coming to *Batavia* sets upon them, though in almost unaccessiable places; and after much strugling of both sides for the Victory, forceth them to submit. Their Kings *Genebaldus*, and *Esateck* as he is (corruptly sure) called by the Panegyrist, received upon their Submission; the one his Kingdom, and the other some great Gift. Yet notwithstanding, *Maximian* removed a great number of Families into the desert places of *Gall*, that they might with their own Labour and Service, replant and repair what they themselves had wasted, that their Countrey might be drained of, and the *Roman* Territory supplied with Inhabitants. Or, it being all most impossible for want of Corn upon the Borders to defend them against those Rovers, who still by their continual Wars and Exercises, learnt more Experience and Discipline, that the Grounds might be Tilled by those had wasted them, and by taking their Youth into the *Roman* Legions, in process of time they might oppose *Franks* against *Franks*.

But being beaten are transplanted.

Cum per servitium recepertit Genebaldus, Esateck vero munus acceperit, Mamertinus ad Maximia. num.

3. Politick Resolutions, especially if founded upon Martial Actions, meet with many Rubs, and feel most commonly the force of the Change, and Vicissitude of humane Affairs. What was thought to have done the Work, and completed the business about the *Franks*, did but increase and stir them up to a new Attempt, as soon as time and opportunity would favour them. When the *Rhine* now by extremity of Frost, and a very hard Winter was Frozen over, a great number of them under Conduct of their Kings *Ascaricus*, and *Radagisus*, the second time invaded *Batavia*: By this time *Maximian* had given up the Charge of *Gall*, and the Western parts of the Empire to *Constantius Chlorus*, who making ready for an expedition into *Britain* against *Alectus*, who had killed *Carausius*, and invested himself with the Purple, and Authority, had the Work done to his hand by *Asclepiodatus*, the Prefect of the pretorian Guards; by whom *Alectus* was slain near *London*, and a great multitude of *Franks*, having escaped into the City, when after they had loaded themselves with plunder, they thought to escape, were put to the Sword; having made up the greatest part of *Carausius* his Forces, and maintained the Quarrel so long in defence of him and *Alectus* his Successour: Prefently after this, *Constantius* making the same advantage of a Thaw, as they had done of the Frost, conveyed his Army over the Rivers, and so straitly besieged them, that they were constrained to beg Peace, and a great number of them were again transported into *Gall*, to learn Civility, and cultivate their Barbarous dispositions. But *Constantius* being Dead, the two Kings despising the Youth, and Rawness of his Son *Constantine*, and breaking the League made with his Father, invaded the *Roman* Territories, having passed over their Forces near the division of the Stream, into the *Rhine* and the *Wale*. *Constantine* conceiving his Honour nearly touched, sent his Army against them, which taking them at unawares made great slaughters, and among other Prisoners took *Ascaricus*, and *Radagisus* the two Kings; whom with as many of ripe Age as were taken, he subjected to various Torments, and finally cast them to Wild beasts in the Theatre, for which brave Fact he is extolled, by the flattering Panegyrists, who yet doe them some kind of Honour in comparing them to the two Snakes, which *Hercules* in his Infancy (as *Constantine* in his infant Government) is said to have strangled. This being done, *Constantine* invaded their Territories, as far as the *Drutteri*, where he made great Havock of the Countrey, and glutted Wild beasts with the multitude of those *Franks*, who were so stout by Confession of their Enemies, as not to start at the Terrour of the Punishment; but willingly would look Death in the Face, and that in the Countenance of fierce and cruel Lions.

A second Invasion of *Batavia*.

A. D. 292.

Ascaricus and *Radagisus* French Kings slain.

4. *Constantine* having thus succeeded, that he might for the time to come, have a free and ready passage into their Countrey, or rather to shew how little he stood in fear of them, and to awe them with the Majesty of the Empire; built a Bridge over the *Rhine*, where it ran by their Countrey. Yet did not these things so affright or awe them, but that still they took hold of all fit opportunities to invade the *Roman* pale, which caused this Emperour afterwards, being himself otherwise diverted, to send his Son *Crispus* to defend the Limits against their Inrodes. After the Death of the Father, they assisted *Constantine* the Son in the Invasion he made into the Territories of his Brother *Constans*, who after *Constantine* was Murthered at *Aquileia* waged War with them, and at length compelled them to retreat into their own Countries. After the whole Empire had faln to the share of *Constantius*, by the Death of his two Brothers, he so far considered their Natures, that thinking them not capable of being beaten into better Manners, he resolved to

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to try them with Kindness. Therefore did he give them what by Force they had so long attempted; removing them into the adjacent parts of *Gall* and *Germany*, and preferred the chiefest of them to Commands, and honourable Employments about his own Person, as *Malarickus* the King, *Mellobandes*, *Laviogaisus* and *Silvanus*, who Governing the lower *Germany* with great Wisedom and Courage, was falsly accused to *Constantius*, as if he affected the Sovereignty, and plainly Forced, when the Emperour could by no means be brought to have a good Opinion of him, and he was made to believe, that the *Franks* his Countrey-men would not harbour him, to take upon him the Purple, which done, he was betrayed, and slain by his own Men, who by great Words and fair Promises, were corrupted by *Constantine*. Besides the knowledge of Arms, and the Conduct and Valour of a Commander, joyned with an honest mind, and the Merits of *Bonitius* his Father (which Commendations, *Ammianus Marcellinus* an Eye-witness gives him) *Aurelius Victor*, witnesseth in his behalf, that he was of a most Courteous and affable Disposition, and though of barbarous Extract, sufficiently adorned with the Learning and Breeding of a *Roman*.

Malarickus kindly treated by the Emperour.

A. D. 342.

5. Either his Conduct, his Interest, or both sufficiently appear in this, that as his Countreymen kept themselves still, during his Government, presently after his Death, as if the obstacle was now removed, they bare down all before them, and passing over the *Rhine*, over-ran a great part of *Gall*, having taken forty Cities situate upon the River, and therein an unspeakable number of Slaves, besides infinite Booty. For this and other Causes, *Constantius* took *Julian* his Cousin *German* into the Partner-ship of the Empire, who e'er he came to the Charge of *Gall* and the Borders, received the News of the taking of *Coloine* by the *Franks*, wherewith he was so struck, that he was often heard to mutter to himself, that he had gotten nothing more by his late promotion than to perish in greater Employment. He took *Augustodunum* (now *Autun*) which the *Franks* had seized on, and thence adventured upon *Antisiodorum* (at this day *Auxerre*) whence marching to the *Tricassini*, he was set upon by numerous Enemies, but had the better, taking or putting them to flight, how resolute soever. Piercing farther into the Countries, and sending fat before him the Reputation of a Conquerour, he almost as soon took as saw the City of *Coloine*, having it rendred up by Composition after a Peace made with the Enemy. During this Peace, he made use of the *Franks* against the *Alemans* and others; but it was not long e'er they broke it, and when he was employed elsewhere, seized on a Castle seated on the Bank of the *Meuse*, which retaining yet it's Name in part (*Kesell*) he besieged, and fearing that they within might take the advantage of a dark Night to escape over the Ice, he caused Boats to be continually rowed by the Souldiers up and down to keep a Chanel, and thereby compelled them for want of Necessaries to yield. Taking up then his winter Quarters at *Paris*, he returned and unexpectedly fell upon that sort of *Franks* called *Salii* in the Spring; who not long before, had taken the Boldness to plant themselves in this Countrey of *Taxandria*, now *Brabant* in the *Roman* Soil. Who sent a Messenger to desire of him, that they might live peaceably in their new obtained Possessions; but he caused them to yield themselves to his disposal. Having handled the *Chamani*, who followed the Example of the *Salii* in the same manner, he repaired the Castles, which being formerly built upon the *Meuse* the *Franks* had razed.

They again infest the *Roman* Pale, but are beaten by *Julian*.

The *Salii* forced to yield.

6. But how these *Salii* came to take up their Quarters in *Taxandria*, or here about *Breda*, we must not fail to take notice out of *Zozimus*. The *Saxons* for some reason or other unknown to us, bore them mortal Hatred (their onely Crime it's probable, was the Convenience and Fertility of the Soil) and therefore making a strict Alliance with the *Quadi*, a People bordering on the *Sarmatæ*, resolved utterly to destroy them; and so they had done, but that they were awed by the Fame and Glory of the common Name of *Franks*. They forced them to quit their Habitations, some passing over into *Taxandria* or *Brabant* and others, seizing on the Island of *Batavia* afterwards: The *Quadi* either set on by the other, or moved by the desire of Gain built them Vessels, and passing down the *Rhine* by the old *Francia* entered *Batavia*, whither the *Salii* had been driven back by the *Saxons*, resolving utterly to dispossess them of the Island, which they had as it were made their own by primer Occupation. *Julian* received the News of this their Boldness with much Stomach, and Commands the *Quadi* to desist from their Enterprize, which they durst not but obey, and wherewith the *Salii* perceiving themselves delivered of an imminent danger in way of Gratitude gave up themselves, and all they had into the Powerand Protection of *Cæsar*. The *Quadi*, though they had lost their prime Gain, yet were resolved not to sit quite out, Robbing and rifling on

Lib. 3.

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the Sea-Coasts privily, and by stealth as they could whereby they rather much disquieted, than endamaged the *Roman* Subjects. *Julian* yet affected that by cunning, which he could not doe by plain Force, and brought them to such straits, that they were forced to submit, which being done, he listed many both of them and the *Salii* in the Legions, of whom the Companies continued till the time of *Zosimus*. But as for our *Franks*, though the *Salii* had reason to be quiet, who were either permitted to continue in *Batavia*, or were removed over the Water to other Convenient Seats: Yet the *Ansinarii* would not contain themselves, but made Incursions afresh into the Neighbouring parts of *Gall*, at such time as *Constantius* suspecting that *Julian* aspired after the Empire sent Letters to Check and Admonish him to keep himself within the modest bounds of *Cæsar*. Being saluted *Augustus* by his Army lest he should be blamed for Idleness, having returned a Message to *Constantius*, he marched into the Borders of *Germania Secunda*, and passing speedily over the *Rhine* fell unexpectedly upon the *Ansinarii*, who expected nothing less than such an attack, trusting to the difficulty of the passages, through which never yet any Prince had Pierced. He easily overcame them, killed and took many, and gave those that remained such Conditions as him best pleased, having got this advantage by this Expedition, as he imagined, that by the Terrour thereof, the Neighbouring Barbarians would be kept in good Order, and the Borders remain in a settled Condition.

The *Quadi* submit.

Ammian. lib. 20.

And *Ansinarii* overcome.

7. As long as he lived it so came to pass, these Nations beyond the *Rhine* thought it sufficient, that none molested them within their own Territories. But he being Dead, *Zosimus* tells us, they were presently up again, resolving to make War upon the *Romans*. *Ammianus* makes it a Common, and united design of them and the *Saxons* together, which that he might be able to withstand and prevent for the time to come; the Emperour *Valentinian*, not onely disposed his Forces of Horse and Foot into convenient places and Garrisons, but strongly fortified the Borders of *Gall*, all along the *Rhine* from the *Rhetii*, as far as the Ocean, with Castles, strong Forts and Towers. The *Franks* hereupon desisted, but the *Saxons* proceeding in their design, were first overthrown by *Severus* the *Roman* Captain, and after they had submitted, and had Peace given them, were perfidiously cut off by an Ambush laid for that purpose, in the place called *Deuso*, in the Countrey of the *Franks*, (as is Conjectured) *Deutzium* a place situate over against *Coloin*. At this time *Mellobandus* or *Mellobandes*, was King of the *Franks*, the *Comes Domesticorum* as is formerly said, in the days of *Valentinian* and *Gratian*; against whom *Macrianus* King of the *Alemans*, having made a Peace with the Emperours, advanced with an Army, wasting all the Countries with Fire and Sword, but was received, and by the Strategems of *Mellobandes* overthrown and killed. Now were the *Franks*, the Allies and Associates of the *Romans*, many of them flourishing in such Grace with the Emperour; that *Mellobandes* arose to the very Dignity of Consul, which Honour he obtained, not onely through the Favour of *Gratian*, who was indeed very well inclined towards his Nation; but also for his singular desert and good Service performed in the Wars, in respect to which he was made General, by *Valentinian* against the *Quadi*, and *Sarmatæ*. *Mellobandes* afterwards under *Gratian* overthrew a great Force of *Alemans* at *Argentaria*, a Town situate upon the River *Hebellus* above *Strasburg*, in which Battel *Priarius* (by some corruptly called *Priamus*) was slain, and with him thirty thousand of his Men, as *Ammianus* writes; who also in the War of *Thrace*, which *Valens* unfortunately managed, gives to *Richomeres*, the *Frank*, the greatest praise of preserving the *Roman* Army. *Valens* miscarrying in this Expedition, the Northern Nations still continue their Inrodes, which caused *Gratian*, who being himself but twenty years of Age, had his Brother for his Collegue, but thirteen years old, to salute *Theodosius* with the Title of Emperour. He being sick at *Thessalonica*, and the Barbarians out of *Thrace*, invading *Macedonia* and *Pannonia*; *Gratian* was constrained to send *Banto* and *Arbogastes*, two *Franks*, against them, who overthrew the *Goths* in *Macedonia*, and forced them to return back into *Thrace*.

Lib. 4.

Lib. 26.

Mellobandus the French King beats the *Alemans*.

8. The year after the Death of *Gratian*, we have *Richomeres* Consul together with *Clearchus*, and in the next that follows *Banto* joyned with *Arcadius Augustus*. But three years after, we have other News of the *Franks*; who at such time as *Theodosius* besieged *Maximus* the Tyrant in *Aquileia*, under the Conduct of *Genebaldus*, *Marcomirus* and *Sunno*, pass the *Rhine*, and invade the upper *Germany*, wasting all things as they march along; and having got much Booty, leave behind them many of their Company to drive the same Trade, and return back into their own Countrey. Of those that were left behind many perished, and such was the Succes

A. D. 384.

They invade the upper *Germany*.

Sect. 2.

ces against them, that the *Roman* Captains consulted, whether they should not improve it by an Invasion of *Francia* it self. *Nauxius* would by no means yield to so dangerous an attempt, and returned to *Mentz*; but *Quintinus* his Collegue (for to them two had *Maximus* committed the Care of his young Son, with the defence of *Gall*) animated by the importunate desires of the under Officers would needs proceed, and passing the *Rhine* about the Castle *Nimesium* (at this day *Nuys*) found the Villages void of all Inhabitants, which he Commanded instantly to be set on Fire. But passing farther on, they were cunningly by the Enemy drawn into Bogs, Woods, and unpassable places, where by the envenomed Darts of the *Franks* they were out-right killed, or died of lingring Deaths, swallowed up by the Quicks, or disadvantagiously fighting, were most of them cut off and slain, very few escaping through the darkness of Night and covert of Woods. This overthrow and Disaster is by some esteemed not much inferiour to that of *Varus* in the time of *Augustus*, considering that *Quintinus* would not against so Valiant a Nation, whereof his Collegue stood so much in fear, lead less than three Legions. And whether *Arbogastes* who being appointed General by *Theodosius*, against *Victor* the Son of *Maximus*, and had discomfited and slain him after the fight, thought that by reason of so great a Disaster received from his Countreymen, he himself and those about the Court were in danger, out of hatred to the two Kings *Sunno* and *Marcomirus*, or really being bent according to his Oaths Military and of Allegiance, to advance the affairs of *Rome* though in the destruction of those of his own bloud, he advised the Emperour to require satisfaction for what injury had been done, and to give up these persons who had been the Incendiaries, the procurers, and fomenters of the War.

Gregor. Turonensis ex Alexand. Sobrinis, lib. 2.

9. The Emperours were so prudent, as to consider what *Tacitus* the Historian long before had asserted, that the onely way to Conquer the *Germans* was to set them at odds amongst themselves, and therefore gave him Commission, to exercise his Enmity or private grudges in such a method as his own Judgment should best dictate to him. He marching to *Coloin* in the sharpest time of Winter, resolved to invade them at that season, when the Trees being destitute of Leaves should afford as little shelter and covert as could be, and passing the *Rhine* fell upon the Quarters of the *Bructeri* and *Æstia*, a Village inhabited by the *Chimani* none appearing to make any resistence except a few of the *Ansinarii* and *Catti*, who under Conduct of *Marcomirus* onely shewed themselves upon the Mountains, and as well at this time as upon other occasions he so bestirred himself, that for two years the *Franks* dared not to make any attempt of moment upon *Gall*, or any other place of the Empire, till solicited and induced by the same person, that now so zealously withstood their invasions. *Arbogastes* elevated much with his success, and that favour and countenance he had received from *Gratian*, was by this time heightned to such confidence and resolution as to brook no Superiour. Being by *Gratian* preferred to the place next to *Banto* his Countreyman, after his Death he arrogated to himself the chiefest command, without any commission or consent of *Valentinian* the young Emperour, having all the Souldiers at his Devotion, whom he so much obliged by a seeming contempt of money, (though he had great wealth, and through his good Conduct and Prosperity in all attempts,) that he would plainly countermand such Orders as were given by the Emperour how just and convenient soever. The young Prince patiently enduring what he was not able to remedy, at length when he understood that the Barbarians inhabiting about the *Danow* were about to invade *Italy*, resolved to march in person, and use his utmost indeavour for the relief of that Countrey. He acquaints therewith *Arbogastes*, who according to his custome of contradicting whatsoever he propounded, dislikes the design, which so inraged the Emperour, that he drew his Sword and had therewith made at him, but being hindered by an Attendant, fell upon him with Reproaches and reviling Language; Boyling still with Indignation against him, on a time he gave him into his hands a Paper, whereby he abrogated his power, and revoked his Commission, which after *Arbogastes* had perused, being moved to a great degree of Passion, he plainly told him, *That as he did not give him, so neither should he take from him his Authority.*

Caret Gentibus transrhenanis si non amor Romanorum at certè odium sui quando urgentibus imperii fatis nihil præstare fortuna magis possit quam nostrum discordia, lib. de moribus Germanorum.

Marcomirus and the *French* beaten by *Arbogastes* a *Frank* but General to the Emperour.

10. By these and other means an implacable hatred and capital Enmity was begot betwixt them, which the poor Prince wanting Power could not improve to any real disadvantage towards his adversary. *Arbogastes* let him feel the first effects of his Strength in shutting him up in the Palace, and devesting him of the Honours due to his imperial Dignity, to such a measure, that he little differed from a private man, and what attendants and respect he had being worse than none, because performed

Sect. 2. performed by *Franks* and such as observed more the nods of *Arbogastes*, than the Commands of *Valentinian*; Hereupon the Emperour by Letters implored the Assistence of *Theodosius* his Collegue. But the Barbarians hovering over *Italy*, St. *Ambrose* the Bishop of *Milan* was desired to go to *Valentinian*, and invite him to the defence of those Provinces, which he understanding rejoyced, hoping the Bishop by his Authority might interpose and get him better Quarter from *Arbogastes*. Upon a report flying of the Emperour's coming, *Ambrose* according to the pleasure of those who were concerned, put off his Journey, which *Valentinian* understanding, desired him by Letters that he would not defer to come to him. He having received the Message made what haste he could, but having passed the *Alpes* understood of his Death, which *Arbogastes* procured by corrupting the Eunuchs that waited on him in his Chamber, as we have formerly related, there being but little distance, as One more glorious in his sufferings hath observed, betwixt the Prisons and Graves of Princes. *Arbogastes* having done the Fact, though already in his mind he had swallowed the Imperial Authority, yet would not himself take the Ensigns, but therewith invested one *Eugenius* his dependent and Servant, (as *Claudian* the Poet calls him,) who had been first commended to him by *Richomeres* his Countreyman. Treason when once come to such height as to admit no pardon, must be Rigorously prosecuted. He perswades his new mock Prince the stronger to confirm him in his lame Title, to take to him the Alliance and Assistence of the Nations beyond the *Rhine*, and to make strict League with the *Franks* and *Alemans*. Having raised a considerable Force, they seize upon the Straits leading to *Italy*, intending to obstruct the passage of *Theodosius*, who yet removed the obstruction, and by the mercy of God obtained the Victory against the Pagan upstart, (who bore the banner of *Hercules*,) although the *Franks* and other Barbarous Nations omitted nothing of their Duty. *Arbogastes* after the disaster and Death of *Eugenius* having fled into the Mountains, when he perceived all ways were laid, and all means used for his apprehension, fell upon his own Sword, lest it should be said *that Arbogastes was killed by any but Arbogastes himself.* A great man, a complete General by confession of his Enemies, in whom those abilities which in others are but scattered and distributed, did truly concentre and unite. And by such true and proper humane means, he still arrived at his end, *viz.* Prosperity and Success, preserving *Theodosius* in his Imperial Dignity, deposing and destroying *Victor* the Son of *Maximus*, and now had from a Scribe or a man of very low Condition, advanced and established *Eugenius* in the Throne, had not God Almighty himself interposed, and in a miraculous manner (as Christian Writers acknowledge,) dashed in pieces this Pagan's Project.

11. *Theodosius* the Emperour Died not long after, leaving two young Sons which he committed to the Custody of *Rufinus* and *Stilico*, with the care of the Eastern and Western Empires. *Stilico* in the West made a League with the *Franks*, who when the *Vandals* invaded *Gall*, did what they could to oppose them, but being inferiour in number and strength, were forced to retire into their own Quarters. *Stilico* being Dead, they thought themselves it seems loosed from the Tye and Obligation of the League, and lest the *Vandals* should get all, pass over the *Rhine*, break into *Gall*, and besides other Cities, take, Plunder and burn that of *Triers* the Metropolis of that Tract. The *Vandals* as desirous to keep what they had, as they were greedy to obtain it, make presently Head against them, but were totally defeated, twenty thousand of them Slain, lost *Godegisilus* their King, and had every man been cut off, but that a party of *Alans* seasonably interposed. The *Vandals*, *Alans* and *Suevi* having enough of this Rencounter, lest they should any more have to doe with the *Franks*, made *Gunderick* the Son of *Godegisilus* King, and march to the *Pyrenæan* Mountains, which having passed, they enter *Spain* the first day of *October*, *A. D.* 409, where they reduce much of the Countrey under their Obedience. Upon rumour of this notable Victory, the *Britains* fearing some attempt upon themselves, stand upon their own Guard, and so do several Cities of *Armorica*, (now little *Britain*) shaking off the *Roman* Yoke, and modelling themselves into a new sort of Government. Yet did the *Franks* retreat back into their own Countrey, leaving the *Burgundians* alone with a party of *Alans*, to domineer over the Inhabitants of *Gall*.

They beat the *Vandals* killing their King.

12. The *Franks* for two or three years contained themselves quiet within their own Bounds, onely they sent a party to the assistence of *Gerontius* the *Britain*, who had slain *Constantine* the Usurper, which was cut off and destroyed by *Constantius* General for *Honorius* the Emperour, who having sent *Ulphilas* his Lieutenant against them, he cunningly let them pass by till he could fall in upon their Rere, at such time as he knew *Constantius* had reached their Front. *Honorius* by the Conduct of this

this *Constantius* had by this time destroyed the Usurpers, removed the *Goths* out of *Italy* into *Gallia Narbonensis*, and the *Vandals* were thence driven away, so that he celebrated Games for this Freedom of *Italy* as one overjoyed, onely the *Burgundians* were an Eye-sore, who having passed into *Gall* with the *Vandals*, still continued forsaking their Companions when they understood their expedition into *Spain*. *Constantius* therefore resolved to fall upon them, which they being aware of, and knowing themselves unable to bear the Shock desired Peace, and to be received into friendship and confederacy with the *Romans*. He fearing lest by some ill accident and uncertainty of War, he should blur the glory of his former Atchievements, was not averse to their Propositals, and according to their request giving them Peace, entered into a League of Friendship and Society. This coming once to the knowledge of the *Franks*, they disdained exceedingly, that the *Burgundians* a People not much considerable either for Reputation or Strength, should there obtain quiet and peaceable Possession, where they themselves hitherto, notwithstanding so many attempts and expeditions, could not fix at all, speedily therefore raising a great Army, they pass the *Rhine* and take and burn *Triers*, under Conduct of *Marcomirus*, if we might believe *Sigonius*, who forgets that *Marcomirus* and *Sunno* had been either banished or put to Death by *Stilico*, as *Claudian* the Poet hinteth not obscurely. Against them was sent *Castinus* the *Comes Domesticorum*, (forasmuch as *Constantius* returned to *Rome* to take Possession of the Consulship,) who hasting into *Gall*, overthrew them in several Ingagements, and forced them notwithstanding all their courage and resolution, once more to retreat and cross the *Rhine*.

Sect. 2.

Marcomirus and *Sunno* put to Death.

13. About this time it must be that the *Franks* had *Pharamond* for their King, in the room of *Marcomirus* his Father. It's very strange that *Gregory Turonensis* a grave and diligent Authour, should not once mention this Prince. But *Aimonius* both names him and placeth his Reign at this time, and so doth *Prosper Tiro* in his Chronicon published by *Scaliger* and *Pithœus*, who lived about this time, and therefore good credit is to be given to him. This Chronicon in the Edition of *Scaliger* at the 25 year of *Honorius* hath these words, *Pharamundus regnat in Francia*, or, *Pharamond Reigns in France*, after which follows the year 26, and at it this Note, *Solis facta defectio hoc Anno*, *The Sun was this year Eclipsed.* If therefore it be certain that *Pharamond* Reigned the year preceding the Eclipse, he Reigned in the year of our Lord 417. For there was not any memorable Eclipse in any of these years, except that which happened on the 19th. of *July*, *A. D.* 418. Which was total throughout *Africk* and *Ægypt*, being mentioned by the Chronicon of *Alexandria* with this addition, that it fell out on the 14th. of the Calends of *August*, on the day of preparation to the Passover, the eighth hour of the day. *Idatius* also assigneth the same fourteenth day of the Calends of *August*, but the heedless Printer or Writer reckons the fifth *Feria* or Thursday, whereas Friday was the day, the Noon thereof the time, almost two hours later in *Italy* than it fell out in *Ægypt*. *Pharamond* therefore began his Reign in the year 417, not the 420 as *Scaliger* imagined, who thought that this Eclipse happened in the year 421 following *Bunting* in his Calculations. For in this year, no Eclipse of the Sun could be seen through *Europe* or *Africk*, by reason of the Southern Latitude of the Moon, which still increased through the accession of the *Parallaxe*.

Pharamond King of the *Franks*.

14. From the Death of *Marcomirus* and *Sunno*, or rather from the time wherein Authours speak nothing of them, the year 395 to the beginning of *Pharamond*, intervene 21 years, during which space it's conceived by some that the *Franks* continued quiet, and contained themselves within their own bounds, as also it is probable that they so did during the time he Reigned over them, else it's a wonder he should not be mentioned by *Gregory*, and so little spoke of by the rest of the Historians. There be some who conceive him so busie at home, that he could not attend Foreign matters, so taken up with making Laws, that he could not have any leisure for Warlike Employments, so addicted to the Society of his *Wisegast*, *Lesegast*, *Widegast* and *Solegast*, by the assistence of which Sages he compiled his *Salick* Law, that his Ears were deaf to all other Councellours. But *Chifletius* Physician to the Arch-Duke at *Brussels*, though in another Book written ten years before, he thinks the *Salick* Law to have been made by this Prince beyond the *Rhine*, yet in his *Anastasis Childerici* he judgeth it agreeable to truth, that he seized on that part of *Gall* called *Belgica Secunda*, which contained ten sorts of People, as the *Remi* (inhabiting about *Rheims* in *Champaigne*,) *Suessiones* (those about *Soissons*,) *Catalanni* (those about *Catâloni* in *Champaigne*,) *Silvanectes*, *Bellonaci* (about *Beauveisin*,) *Ambiani* (the Metropolis of whom was *Samarobrina* now *Amiens*,) *Veromandin* (*Veromandois* at this day,) *Atrebates* (*Artesiens*,) *Nervii* at this day those of *Hannault*, whose Metropolis

He seizes on *Belgica Secunda*.

Vide Miræi chron. Belg. pag. 518.

Sect. 2. Metropolis according to *Ptolemy* was *Banacum* now (*Banay*,) and the *Morini* inhabiting in part the Western Coast of *Flanders*, and so called because they Lived amongst the Fenns then in the Teutonick called *Moeren*, whence our English *Moores* are derived. This *Belgica Secunda* (the Metropolis whereof was *Darocottorum Remorum*, (or *Rheims* in *Champagne*,) he will have him to have seized, being already wasted and weakned by the incursions of the *Vandals*, and held it to his Death, his Argument being taken out of an old Manuscript Genealogy, preserved in the Palace at *Bruxells*, which saith *he was Buried according to the Rites and Custome of the Barbarians at Rheims without the City, towards Landunum in a little Hill which in Latin may be called Pyramis*, it being the manner of old, as *Servius* noteth, for great men to be Buried either under great Hills, or in the Hills themselves, whence it came to pass that Pyramids or great Pillars were wont to be raised upon Graves. Wheresoever he was Buried, *Sigobert* writes that he Reigned eleven years, so that his Death must then according to the former account fall into the 428 year of our Lord. His name is by some thought to have been truly written *Waramund*, signifying *the truth of the Month*, *War* being *truth*, and *Mund Month* in the Teutonick. But *Scaliger* denieth that *W* could degenerate into *F*, and bids us enquire of *Peter* the *Lombard* what *Fara*, of which *Faramond* is compounded, doth properly signifie. For the Language of *Franks*, *Goths*, *Lombards*, *Vandals* and *Burgundians*, with those of other Northern Nations was the same, being all Teutonick in their Original.

Dier. *A la mantere barbarique.* *In lib. 21. Æneid.* *Emendat. temp. lib. 6.*

15. From the said *Peter* therefore we understand that *Fara* signifieth *a live Generation* or *Off-spring*, as also from the Laws of *Lombardy* and the common Speech of the *Danes* at this day, who to express the Inhabitants or Generations of several Countries, to the name of the place add that of *Fara*, as *Selandfar*, *Hollandfar*, and *Irelandfar*, so that *Faramond* must denote the *Month*, *Source*, *Original or defence of Nations*, *Generations or Off-springs*. That many names of Men do end in *Mund*, is most notorious to any one meanly skilled in the Teutonick Language, especially the *Saxon* Dialect, to which that of the *Franks* if we may consider their Neighbourhood, must have had a great affinity. And here we must take notice that not onely this of *Pharamond*, but of all the other Kings heretofore mentioned are purely Tuetonick, and thereby abundantly evince the Original both of Names and Persons, to have been no other than truly *German*. But to leave off this Discourse and Etymology of Names, to *Pharamond* succeeded his Son *Clodio*, in the fifth year of the Reign of *Theodosius* the younger. By this time *Ætius* the *Roman* General had fallen out with the *Goths*, who had formerly been removed out of *Italy* into *Gall*, and having beaten them in several Rencounters, forced them to beg Peace, by which stirs the *Franks* thinking they had a fit opportunity presented, made a new irruption into the *Roman* Territories; *Gregory of Tours* writeth that *Clodio* their King lying incamped at *Dyspargus* in the Borders of the *Tungri* beyond the *Rhine*, sending out his Spies as far as *Cameracum*, (now *Cambray* upon the *Schelde*,) after he had understood that all was safe and passable, invaded *Belgica Secunda*, and setting upon the City *Cambra*, overpowred the *Romans* there lying in Garrison, took the City and subdued all as far as the *Rivolet Somna*. But as to this Expedition, and the place from whence it is taken, there is much difference amongst some modern Writers, some, according to what is alledged from *Gregory*, will have *Pharamond* to have kept himself quiet beyond the *Rhine*, and these places in possession of the *Franks* at this time, on this side that River to have been seized and injoyed in the Reign and by means of his Son *Clodio*. Others will account *Pharamond* a Prince of such Conduct and Valour, that the *Romans* durst not attempt any thing against him, but that he both obtained and kept what of their Territories he had got into his hands, and these stirs that happened in the time of his Son, were occasioned by his Youth, and want of experience, whereof the *Romans* took the advantage.

Lib. 2. c. 9. de gestis Longobardorum qui Gulphus non prius se regimen ejusdem civitatis & populi susceperunt sicut in sexty quas ipse eligere voluisset Longobardorum Farones id est generationes vel lineas tribuerent. Leg. Longobard. lib. 3. tit. 14.

Clodio succeeds. *Pontan. orig. Franc. lib. 4. c. 12.*

16. That *Clodio* held his Royal Seat at *Dyspargus* or *Dysbargus*, is affirmed by *Himonius*, and by neither party can be denied. But one contends this Castle was beyond the *Rhine*, and another affirms it was Seated at no lesser distance from that River, than betwixt the Cities at this day called *Bruxells* and *Lorrain*. *Pontanus* alledgeth the testimony of *Gregory Turonensis*, who saith it was Seated in the borders of *Tungri*, and *Chifletius* telleth us of a Manuscript of *Cambray*, or History of the Acts of the *French* Kings which hath to the same purpose, *Habitavit Clodio Rex in Disburgo Castello in finibus Tungrorum*; or *King Clodio lived in Dispargus a Castle in the borders of the Tungri*. Now the *Tungri* lived partly beyond, and partly on this side the *Rhine*, in that Territory to which that very place or Castle is very near at this day called *Dinsburg*, betwixt *Wesel* and *Dysseldorp*; and that the most ancient Copies

Vide Chifletii Anastas. Childerici, pag. 6. *Lib. 1. c. 4.* *Lib. 2. c. 9.*

Copies of *Gregory Turonensis* read *Tungrorum*, and not *Thoringorum*, (which being so corrupted, is swallowed by *Sigebert*, and those that follow him,) *Pontanus* appealeth to the Testimony and Edition of *Morelius*. Notwithstanding all this acted, both out of *Gregory* and his own alledged Manuscript, yet *Chifletius* recants what he had formerly written in behalf of *Tungrorum*, because he was deceived in thinking this *Disburg* the same with *Deistheim*, where *Henschenius* wrote there were two Castles, whereof one called *Disburg*, which the Inhabitants themselves stifly denied, affirming the place to be simply called *Burg*. But at last he thinks he hath found out the matter, by discovering two Towns, or Castles, bearing the Name of *Duisburg* amongst the *Franks*, one beyond the *Rhine* over against *Coloine*, at this day called *Duysburgh*, (in old time *Castrum Deusonis*) the same which *Philip* the Emperour pawned to *Henry* the first, Duke of *Loraine* and *Brabant*, in the Year 1204. Another *Duysborcke*, a large and noble Town near *Tura*, almost in the midway betwixt *Brussell* and *Loraine*, which his Friend *Wendelin* thinketh might possibly be within the Diocese of the *Tungri*, seeing that St. *Hubert*, a few days before his Death, *A. D.* 727. dedicated a Church at *Tura*, and *Loraine*, with the Territories about it, was certainly of the *Tungrian* Diocese, as far as the River *Dilia*, so that this *Duisborck* was in the Borders of the *Tungri*, if not within the Diocese it self; *Gramaius* also in his Antiquities of *Brabant*, makes honourable mention of this *Duysburg*, noting in the Margent, that it was wont to seal with a Castle, bearing two Banners or Ensigns. Sect. 2.

17. *Chifletius* adds, that at the writing of his Book (*A. D.* 1655.) there were those alive who could remember the ruines of the old Castle of *Dursburg*, in the place where now stands the Village of *John de Mulder*, in the Suburb called *Tseren*, that the Pastour of the place reported from the testimony of ancient Monuments, that two hundred years before *Tura* this *Duisburg* was a Castle of the Dukes of *Brabant*, wherein the Princes and Nobility were wont to consult about State Affairs. He produceth a cutt of the Seal mentioned by *Gramaius*, wherewith the *Scabines* time out of mind have been wont to sign their publick Instruments, and with his Friend *Wendelin*, he affirmeth, that the *Dyspargus* mentioned by *Gregory*, much more agreeth with this place, than that beyond the *Rhine*, and that this was the very Castle which *Clodio* made the Seat of the Kingdom, all this Tract being made famous by the several Castles and Dwelling-houses which the Princes of *Brabant* (descending from those French Kings) chose and appointed to themselves at *Bruxells*, *Loxain*, *Fara* and *Duisburg*. But nothing doth *Chifletius* by his favour produce, which necessarily concludeth this his *Duisburg* to have been the place. It is ordinary for Colonies to name the places of which they are the new Possessours, after those Cities and Towns from whence they came, and whence they are descended, so that this Castle near *Loraine* might be both built and named long after this story of *Clodio*. The Dioceses of places have been wont to exceed their Civil Limits, neither can *Wendelin* make out, that the religious Borders are here meant by *Gregory*. It seemeth that *Clodio* first seized on and made this Castle the seat of the French Kingdom, and he might doe it in either place, because the one was beyond the *Rhine*, and the other within the Limits of his Expedition. But why doth not *Chifletius* answer to the Testimony of *Gregory Turonensis*, that *Duisburg* was beyond the *Rhine*, in reference to him who then lived and wrote in the middle of *Gall* it self? And what will he say to the assertion of *Ado Viennensis*, who writes, that *Clodio marching from the Castle* Dysporus, (as he calls it corruptly) *passed over the* Rhine, *and worsting the* Romans, *seized on* Sylva Carbonaria, *as far as* Camacacum, *and there he took up his Quarters*. If this *Sylva Carbonaria* was part of the *Sylva Arduenna*, or that called now *Boisd Ardenne*, lying about the *Meuse*, and the Countrey of *Leige*, *Clodio* must have made a fine progress, first Northwards, from this *Duisburg*, lying betwixt *Bruxells* and *Loraine*, and then backwards again as far as the River *Schelde*, and the City *Cambray*. Certainly had he formerly taken up his Seat in that part of *Brabant*, he would first have so cleared the Coasts as not to leave an Enemy at his back, neither could he be so little skilled in the Countrey, as to think the neareſt way to the *Schelde*, was to go quite contrary, except intending to leap over it, he took that course which those observe who leap Ditches, by going backwards to fetch the longer run, and so to be carried over with the greater violence.

Pugnastis pariter, Francus qua Clojo patentes Atrebatum terrai pervaserat, hic cocuntes

18. But if *Clodio* placed the Seat of his Kingdom at this *Duisborck* near *Brussels*, he can scarcely be said there to fix it, so small a time did he enjoy his new obtained Conquest. For although *Gregory*, *Aimonius*, and the rest, take no notice of it, yet it appears from the Verses of *Sidonius Apollinaris*, that *Ætius* the *Roman* hearing of

Sect. 2. this irruption the *Franks* had made into the *Atrebates* (or *Artefiens*) in conjunction with *Majorianus*, marched with great secrecy againſt them, and overthrew the Army of *Clodio*, which they fell upon unawares as they were celebrating a Marriage in all Security. The Verſes of *Sidonius* make mention of a Village called *Helena*, where this (*Scythian* as he terms her, or) French Virgin was married, as judgeth *Pontanus*, who thinks it the ſame with that at this day called *Hedin le vieux*, ſituate in *Artois*, upon the River *Cancus*, or *Cancius*. But *Chiffletius* blaming all other Expoſitours and Commentatours upon this place of the Poet, for their Ignorance in Geography affirms it; that very ſame which *Baldericus* calls *Lenenenſis Caſtrum*, a Town now known by the name of *Lens*. He will have the whole Expedition and Affair thus managed. *Clodio* having entered the *Sylva Carbonaria* (but that he did it from *Duisborcke* not a word) paſſed on in the military high way leading through *Angia*, *Athus* and *Lutoſa*, as far as *Tornacum*, (or *Tournay*) where others of theſe artificial and publick ways met, as from *Virovacum* (now *Verinck*) *Tornenna*, (*Teroane*) *Nemetacum*, or as *Hortius* calls it *Neinetocenna* (*Arras*) *Camaracum* (*Cambray*) and *Ponſſcaldis*, or the Bridge of *Scaldis*, at this day *Eſcanpont*, all which Ways, High-Streets, or Cauſways, meeting together, *Sidonius* expreſſeth by his *Coeuntes claudebant anguſta vias*. Now *Ætius* and *Majorianus* having in their paſſage taken the Village *Helena*, expected the coming of *Clodio*, and at length joined Battel with him in a very difficult place, betwixt *Tournay* and the Bridge. On the Bridge leading over the *Schelde*, which was but narrow, ſtood *Ætius*, and under, or below it, *Majorianus*; whence, ſaith he, the Wedding which was kept on an hill, nigh the Bank of a River, was diſturbed, and (to the unſpeakable grief no doubt of the Bride) ended in Bloud and Slaughter. That this was a great defeat of the *Franks*, ſufficiently appeareth from *Sidonius*, but whether as a puniſhment of their ſecurity and careleſneſs, they ſuffered expulſion quite out of *Gall*, and were driven back beyond the Rivers *Meuſe* and the *Rhine*, cannot by any thing he ſaith be determined; ſome think the contrary, conſidering that the Poet writing a Panegyrick to *Majorianus*, would not have omitted a thing ſo notable, making for his purpoſe. However * *Proſper* in his *Chronicon* expreſly writeth, that *part of* Gall *near the* Rhine, *which the* Franks *had poſſeſſed, was recovered by the Arms of Count* Ætius. And *Caſſiodorus*, who lived at this time, addeth, that † *in the Conſulſhip of* Felix *and* Taurus, Ætius *having ſlain a great number of* Franks, *recovered that Tract beyond the* Rhine, *on which they had ſeized.* As for *Clodio*, notwithſtanding this ill ſucceſs, yet *Gregory* writes, that he was a profitable and moſt noble Prince, *Ado Vienenſis* will have him to have reigned twenty five years, but *Proſper* ſets his death at the 448th Year of our Lord, which contracts his Reign within the number of one and twenty years. As for his being buried at *Cambray*, the modern French Hiſtorians, who tell the ſtory, have too great a tale to make good that that City was then in the Power of the *Franks*, if not, that his Subjects had the courage thither to tranſlate his Body.

Clodio and his French beaten by *Ætius*.

Dies.

19. After *Clodio* reigned *Meroneus*, not his Son, but his Kinſman, one of his Lineage, in the twenty fifth Year of *Valentinian*. The ancient Manuſcript Genealogy of the French Kings, formerly mentioned, and to be ſeen in the King's Library at *Bruſſels*, tells us, that being not the Son of *Clodio*, but his Kinſman, he cauſed himſelf to be made King, excluding the Sons of his Predeceſſour. The Manuſcript of *Cambray*, called *Geſta Regum Francorum*, gives him the name of *Meronechus*, who being of the ſtock of *Clodio*, ſucceeded him. *Pontanus* makes a great Argument to confirm what he formerly had aſſerted, that *Clodio* loſt not all he had got on this ſide the *Rhine*, becauſe this *Meroneus*, preſently after his death, as ſeveral Writers teſtifie, enjoyed what bordered on the River, without any trouble or conteſt, placed ſome of his *Franks* upon the River *Axona* (now *Ayſne* or *Diſne*) in the Borders of the *Rhenni*, and was called upon by *Valentinian* and *Ætius* for ſuccour againſt *Attila*, the common Enemy, to all thoſe that poſſeſſed any thing in *Gall*. He grants therefore that *Ætius* and *Majorianus* might expell *Clodio* out of *Secunda Belgica*, but not out of *Germania ſecunda*, or the Inferiour *Germany*, the *Metropolis* whereof was *Coloine*, and which contained two ſorts of People, eſpecially, *viz.* the *Vbii* and the *Tungri*, to which all, or moſt of the reſt may be referred. For under the Name of *Tungri* are thoſe contained whom *Cæſar* calleth by the common Name of *Germans*, as the *Eburones*, (the Inhabitants of *Luych* or *Leigh*) *Condruſi*, (thoſe about *Condreux* or *Condrox*) *Pæmani*, *Segni* and *Særeſi*, which five Nations, together with the *Adnatici* and *Bateſii*, were in later Ages compriſed under the Name of *Tungri*. But the *Franks* being ſummoned by *Ætius*, fought moſt valiantly in that famous *Catalaunian* Battel, wherein a great number, if not the greateſt part of them,

Meroneus ſucceeds.

Claudebant angusta viæ, arctæ ſubaſtum

Vicum Helenam, flumenq; ſub tramite lungo

Artius, ſuppoſitis trabibus tranſit.

miſerat Agger

Illic ſe poſito, pugnabat ponte ſub ipſo

Majorianus Equeſt. Fors vija colle propingo

Barbaricus resonabat Hymen Scythicisq; cho-reis

Madebat flavo ſimilis nova nupta marito,

Hos ergo ut ſer-bibens ſtravit, crepitabat ad ſi-nus

Claſſis——

them loſt their Lives, and the remainders returned home with *Meroneus* their King. By *Rocico* the Monk he is called *Meronicus*, who writes, that he was choſen King, inthroned in the City of the *Ambiani* or *Amiens*, and that from him, in reſpect of his Prudence and good Government, thoſe called formerly *Franks* were after him named *Meroningi*, being held in ſuch Veneration, that he was eſteemed no leſs than a common Father. Upon this account he is, in a Manuſcript Book containing the Life of *Charles* the Great, in a Table of the Images of the French Kings thereunto prefixed, made the Head, or Original of the firſt Generation, being wholly ſeparated from *Clodio*. He reigned ſeven Years. The place of his burial is not known.

Sect. 2.

Geſt. Franc. l. 1.

In Biblioth. Regia Brixcell. ſervat.

Dies.

20. Theſe were the Atchievements of the ancient *Franks* for one hundred and ſeventy years, and ſuch were the beginnings and rudiments of the French Power and Dominion in *Gall*, which if as well the modern as more ancient Hiſtorians of that Nation had duly conſidered, they had not ſo much doted on the vain *Trojan* Title, nor attributed ſo much to the fabulous Narration of thier *Hunibaldus*. By what we have already ſaid, may be ſufficiently diſcovered, which was the moſt ancient Seat of the *Franks*, how by degrees they arrived at their Conqueſt, when, and upon what account, they paſſed the *Rhine*, and that they had many Kings before the time of *Pharamond* and *Meroneus*, though utterly unknown to *Gregory* Biſhop of *Tours*, their moſt diligent Hiſtorian. Now we have brought them into *Gall*, we muſt ſee how they there behaved themſelves, and what Progreſs they made till ſuch time as they became Maſters of that renowned Province. But for a clearer Method and way of proceeding (the greateſt help to Learning, and beſt part of Logick) let us firſt tell the Reader how this Countrey ſtood, and who were thoſe that inhabited it at the time of their Invaſion. At that time therefore *Gall* was poſſeſſed by three ſorts of Nations, or People, *viz. Romans*, *Burgundians* and *Goths*. The *Romans* held all from the River *Rhine*, as far as *Ligeris*, or *Loire*, in *Gallia Celtica*, except certain Cities of *Aremorica* (now *Britain*) which revolted, and put themſelves under a new form of Government. The *Goths* beyond *Ligeris* poſſeſſed all *Aquitain*. The *Burgundians* whatſoever lies about *Rhodanus*, towards the upper part of the *Rhine*, a few Cities excepted, which retained their fidelity to the *Romans*. The hither part of *Spain* was held partly by the *Goths*, partly by the *Romans*, and the farther and more remote, by the *Vandals*, and their Aſſociates.

The Poſſeſſours of *Gall*.

21. To *Meroneus* then ſucceeded *Hildericke*, or *Childerick* his Son, who was born at *Samarobina*, the City of the *Ambiani* (at this day called *Amiens*) about the Year of our Lord 436. Being fifteen years old he was taken Priſoner by the *Hunnes*, together with his Mother, but was reſcued and delivered by *Wiomadus* a *Frank*. Having ſucceeded his Father in the Year 455. with whom he was continually brought up and learnt the Diſcipline of the Camp, he reſolved to recover what he had loſt, and burnt with deſire of inlarging the Power and Dominions of the *Franks*, having a good opportunity put into his Hands by the death of *Ætius* and *Valentinian*. It may be gathered from the verſes of *Sidonius Apollinaris*, that after their death he added to the conqueſt of *Secunda Germania*, and *Belgica Prima*, (which laſt contained four Cities, or People, *viz.* the *Treveri*, *Mediomatrici*, *Leuci* and *Veroduni*, the *Metropolis* being *Auguſta Treverorum* (now *Triers*) made by *Clodio* and his Father, the Triumphs of *Germania Prima* and *Secunda Belgica*, whereof the former contained the *Vangiones* (under whom were of old reckoned thoſe of *Wormes* and *Mentz*, but *Moguntiacum*, or *Mentz*, being afterward built by the *Romans* upon the place where the *Meyne* falls into the *Rhine*, it came to be head of *Germania Prima* and ſo at this day continues) the *Nemetes* and *Tribocci*. Neither yet herewith content, he invaded and ſubdued almoſt all as far as the River *Loire*, with which Enterprize *Anitus*, the *Roman* Emperour, then awakened, committed the care of what remained on the other ſide of that River to *Ægidius* a Patritian, and the *Magiſter Militum*. *Anitus* being laid aſide, *Majorianus* took the Enſigns of the Empire, who having done great things againſt the *Vandals*, and others in *Africk*, entred *Gall*, to clear that Countrey of all Intruders. He reſolved firſt to begin with the *Alans*, as thoſe that were more inconſiderable than either the *Franks* or *Burgundians*. But whilſt this game was playing, *Childerick*, King of the *Franks*, plaid ſuch prancks with the Wives and Daughters of his Subjects, that he ſpeedily turned Banckrupt, both of Kingdom and Reputation, having rendred himſelf very odious to his Nobility for his great Exactions, but eſpecially for his many and notorious Adulteries, he was either forced out of his Kingdom, or foreſeeing a ſtorm, prudently retired out of the danger. *Gregory* of *Tours* writes, that perceiving his Life to be way-laid, he departed into

Childerick ſucceeds.

Fredeg. cap. 11.

Goes into exile.

Chron. Conſ. ad An. Dom. 439.

pars Galliarum propinquior Rhenogquam Franci poſſidendam acceperant Ætii Comitis armis receptæ.

† *Felice & Tauro Conſſ. Ætius multis Francis captis quam occupaverant propinquam Rhenopartem recepit.*

Proſper Greg. lib. 2. c. 9.

Meroneus qui non erat Clodii filius, ſed ipſi ſanguine conjunctus, fecit ſe creari Regem, Clodii filios duos, qui ætate minores erant, excludendo.

Vid. Sigon. Chronicon. Bug. & alii.

Francus Germanum primum, Belgámq; ſecundi

Sternebat, & Rhenumq; ferox Alemanne bibebas, &c.

Sect. 2. the Countrey of the *Thoringi*, as the present Copies have it, but *Pontanus* thinks that *Tungri* is to be read, both because the same corruption is notorious elsewhere in this Authour, and it was much more easie for him to fly to them, and convenient to continue amongst them, who were near at hand both on this and the other side of the *Rhine*, than to make a long Journey into the territories of the *Thoringi*, betwixt whom and the *Franks*, were the *Alemans*, and several other Nations, not at all inclined to shew any Hospitality, or afford any Kindness to a *Frank*.

22. Indeed it appears from the Story, that he intended not in his retirement to be far out of the way. For he left behind him *Wiomadus* (or *Windomalus*) his trusty and faithfull friend, to lie as it were Leiger for him, to observe and watch all fit occasions, to mollifie the Spirits of the People, to assist time in wearing out all Prejudice and Regret from exulcerated Minds, and then to give him a sign when there should want onely his Presence to perfect the good inclinations of his Subjects. *Greg. l. 2. c. 12.* *Papirius, Masso. nus, Annal. lib. 1.*

Ægidius got the Kingdom. He cut in two a piece of Gold, whereof the one part he left with him, and took the other himself, commanding him to trust to no other Token, but sending that piece carefully to him upon occasion, thereby to prevent the fraud and cunning of the adverse Faction. He being thus withdrawn, the *Franks* reject all of their own Bloud, and commit themselves into the hands of *Ægidius*, a *Roman* Captain, to whom *Anitus*, when Emperour, had given a Command amongst the *Suessiones* upon the River *Loire*, and he governed them as King, for the space of eight years, being a Person excellently accomplished with all Endowments of Body and Mind, which received greater Lustre from his Profession of the Christian Religion. All this while *Wiomadus* was not idle, but being for the repute of his Prudence and Industry received amongst the number of *Ægidius* his Friends, improved the advantage thence afforded all manner of ways, to the Service of his old Master, and when many of his Enemies were removed out of the way by Death, others brought over to his Party, and the greater part either moderated by time, or touched at length with the sense of some Impropriety in the thing, that they should be governed by a mere Stranger, he thought things ripe enough, and sent him the piece of Money, as had been agreed betwixt them. *Sigebert* tells us expressly, that his *A. D. 469.* Returns. Subjects returned to their Duty, and desired his Return, wherein he was not slack, and being joyfully received by the major part, with little trouble he drove away *Ægidius* his Competitour. *l. 13.*

23. But *Fredegarius*, in his Epitomized History of the *Franks*, tells a story of *Childerick* his betaking himself to *Constantinople*, to *Mauricius* the Emperour, and of his return thence by Sea into *France*, a very pritty piece of Anacronism, the Emperour *Mauricius* living no less than an whole Age after *Childerick*. *Wilthomius* his *Chronicon*, written in the Year 810. mendeth the matter by reading it *Martianus*, who though he lived not so long before this Exile of *Childerick*, as *Mauricius* did after, yet died in the Year 457. whereas the flight of *Childerick* happened about the Year 461. and his restitution eight years after. But were it for no other Reason, than that *Gregory* of *Tours*, who was more ancient than the rest, and lived in the next Age to *Childerick*, makes no mention of it at all, the Story were justly to be suspected. It makes nothing for his Sea Voyage, what *Aimonius* expressly writeth, that the King being in the middle of his way, sent to give *Winomadus* notice of his coming, with orders speedily to meet him, which he as readily performed, with the French Nobility, and found him at the Castle of *Barrum*, the Inhabitants whereof he had commanded to receive him with all Respect and Honour. They so fully complied with his Commands, that they went out to meet him, and conducted him into their Town, with which Office of Duty and Kindness *Childerick* was so much pleased, as in Testimony of his Acceptance of so ominous a beginning, he remitted to them the Tribute they had been formerly accustomed to pay. This *Barrum Franchett* would have *Barrum Ducis*, or Head of the Dukedom of *Barre*. *Belleforest* takes it for *Barr* upon the *Siene*. But those two are far later than this *Barr* now in question; neither was the Dominion of the *Franks* at this time so large in Extent, being bounded with the River *Somona*, otherwise called *Phrudus*, now the *Somme*; *Olivar Vredius* in his description of the ancient *Flanders*, will have it some Fort in *Brabant*, or else *Batavia*. *Chifletius* concludes it was a Town belonging to *Brabant*, at this day called *Per*, it being a Custome of the *Romans* to change their Teutonick *P*, into their *B*, as might be made appear by many Examples. This *Per*, he tells us, was an ancient Castle, where now is to be seen an House of Nunns, and he is the more strengthened in his Opinion, considering that upon supposal of *Childerick* his flying into *Thoringia*, this place would lye convenient for his Journey. From *Amiens*, the Residence of *Childerick* to *Erfurd*, or *Cap. 11.* *Lib. 1. cap. 7.* *Lib. 2. c. 15.* *Lib. 1. c. 5.*

or the Royal Castle of *Thoringia*, (the Ruines whereof are yet remaining) are reckoned one hundred and thirty *Brabant* Leagues, in the middle whereof is *Coloine* seated on the *Rhine*, where he supposeth *Childerick* to have staid, and thence sent to *Wiomadus*, who presently met him at *Per*, or *Ber*, fifty Leagues distant from *Amiens*, and from *Coloine* fifteen. But this is altogether uncertain. Sect. 2.

24. What way soever he came, he was followed by *Basina*, the Wife of King *Basinus*, by whom he had been entertained, a Woman that had broke her Conjugal Faith formerly with him, and finding, as she did not shame to tell him, his great abilities that way to satisfie her Appetite, came for that very purpose, that she might still cohabite with him. To this Relation *Fredegarius* and *Aimonius* add a Story of the shapes of several Beasts, as Lions, Unicorns, Leopards, Bears, Wolves, Dogs, and lesser sorts of Animals, seen by *Childerick* on his Wedding night, with the Interpretation made by *Basina*, upon which account *Trithemius* calls her a Witch, although the *Flemmings* at this day call a wise and provident Woman by the name of *Basinne*, and diminutively *Basinneke*. But after his Restitution *Childerick*, to make amends for his former Loosness and Injuries offered to his Subjects, pursued the Wars with all alacrity and vigour. *Baronius*, out of the Acts of St. *Genonefae*, relates how the City of *Paris* being long besieged by the *Franks*, the People oppressed with Famine were miraculously relieved by that Virgin; yet they took the City, and therein *Childerick* placed his Royal Seat. *Sigebert* writes, that the *Franks* invaded *Gall*, not so much to plunder and spoil, as now to make it their perpetual Habitation, took *Colonia Agrippina*, or *Coloine*, having put to flight *Ægidius* the *Roman* Captain, and slain a great number of the *Romans*. *Rocico* the Monk adds, that *Childerick* at this time fell upon the same City, which after too much slaughter made, he subdued, being then governed by *Ægidius* the *Roman*, who, not able to resist such a Force, betook himself to flight, and so escaped the rage and fury of the King. Both these Historians farther tell us, that the *Franks* proceeding, besieged and took *Triers*, situate upon the *Mosselle*, at which time *Ægidius*, the Tyrant of the *Romans*, as the Monk calls him, died, and *Siagrius* his Son, in the City *Suessio*, was advanced to his Father's Throne. *Gregor. Tur. & Rocico, lib. 1.* *Ad An. 456.* *A. D. 475.* Beats *Ægidius* the *Roman* General. *A. D. 476.*

25. The Year following *Childerick*, with his Army, marched as far as *Aurelia*, or *Orleance*, which having with too much cruelty wasted all the Countrey about it, at length he took it, and pursuing his Victory all along the *Loire*, as far as the Mouth of the River *Meduana*, on which stands the City *Andeganus*, or *Anjou*, the year following he took it in also, and burnt it, putting to the Sword *Paulus*, a Count and Governour of the Town. *Rocico* tells us, that there he designed to have met with *Adonagrius*, General of the *Saxons*, who had taken and hazarded the City, but he fled away by boat, and left *Paulus* to keep the City, who therefore thus perished in his Stead. Yet from *Sigebert* it appears, that *Childerick* this same year made a League with this said Captain of the *Saxons*, whom he calls *Andorackrius*, both of them together subdued the *Alemans*. *Gregory* adds, that *Odoacrius* made a League with *Childerick*, and that they subdued the *Alemans*, who had invaded part of *Italy*, which *Alemanni* some think no other than the *Alani*, being *Gallo Germans*, who in the time of *Tacitus* inhabited betwixt the *Rhine* and *Danow*, afterward passing over the River, infested *Gallia Belgica* with their frequent Inrodes. *Rocico* the Monk tells us for a conclusion, that *Childerick*, desirous to return to his own House, or the City of the *Ambiani*, was taken with a Fever, and left his Kingdom to *Clodoneus* his Son. But he omits his last Expedition, mentioned both by *Gregory* and *Sigebert*. Having reigned twenty four Years, as *Aimonius* computeth, he died in his Return, at *Ternacum*, or *Tourney*, and was buried there on the left hand of the military way, leading to the Town, at one hundred and fifty foot distance from the said way, towards the North, and six hundred from the neareſt Eastern Bank of the River *Scheld*, being interred according to the *Roman* Custome, which required, that betwixt the Sepulchre and the Highway should be left a spot of Ground sacred to the *Dii Manes*, just so many foot large, as that betwixt this and the military way. But for the proof of the place of his Sepulture, we have an Argument so notable and rare, that it cannot be passed over without some significant and special Remarks. *Sigebert.* *A. D. 477.* Enlarges his Dominions, *Gregor. Rocico, Papirius, Massonus, lib. 1. p. 14.* 478. And dies.

An accounte of the place and manner of his Sepulture. 26. The City of *Tourney* is divided into two by the River *Schelde*, which also parts the Dioceſe of *Cambrey* from that of the *Atrobates* and *Tourney*. On the side of *Cambrey* Dioceſe are three eminent Parishes, of St. *John*, St. *Nicholas*, and of St. *Brixius*, standing betwixt them both, most large and considerable, whereof the Parson *Pattus* perceiving the House of the Treasurer, and the Alms-house of the Parish, which stood near the Church-Yard, and his own House, to be very ruinous, after he had taken advice with the *Æditici*, or Churchwardens, resolved to pull *Anastasis Childerici per Chiffletium Antwerpiæ, 1655.*

Sect. 2. pull it down, and build up another ſtronger and upon more deep Foundations. In the Year 1653. the twenty ſeventh day of *May*, at three of the Clock in the Afternoon, when they had digged to the depth of ſeven Foot, or more, lighting of a kind of a ſtony Rock, there was found a Button of Gold, and preſently after a bundle as it were of rotten Leather, wherein were contained more than one hundred Golden Coins, by one *Hadrian Quinquinus*, a Labourer both deaf and dumb, who by his inarticulate Voice and Geſtures, called as well as he could the Neighbours together. *Pattus* with two of the Wardens came to the place, with intention to ſeize on the Treaſure for the uſe of the Church, and furthering the building. There they found moreover about two hundred Silver *Roman* Coins ſo eaten with Ruſt, that they could not be read, and therefore were afterward loſt, no reckoning being made of them. Many pieces of Iron almoſt all conſumed with Age, and the moiſture of the Ground. Two skulls, whereof one of a larger ſize, together with the bones of an humane Skeleton. Then within a matter of five Foot farther, many other things of Art and value; as a Sword, that at the firſt handling it fell into pieces, with the Hilt and Scabbard, *Eſtines*, or a Caſe of writing Inſtruments, the Head of an Oke, with about three hundred Bees (many more it's Conjectured, being carried away amongſt the Rubbiſh) a Bodkin, Buttons, Claſps, Nails, Plates, and Boſſes all of Gold, and ſet with an infinite number of Rubies, beſides the Skull of an Horſe. And that without which, neither the Age nor Perſon, whom they concerned could ever have been known, the Golden Ring of *Childerick*, King of the *Franks*, and therein his Image and Name ingraven.

27. The Golden Coyns were of *Valentinian*, *Marcian*, *Leo*, *Zeno*, *Baſiliſcus* and *Marcus*. But the neweſt was that of *Zeno*, in the ſeventh Year of whom, or there about, died *Childerick* the firſt, ſo that his muſt be the Grave and Relicks, the Subject of this ſtory. Beſides theſe, were found an *Axe*, or *Hatchet of War*, *by* Chiffletius called the King's *Franceſca*, which lay behind him, together with his *Framea*, or a kind of *Dart*; a *piece of an Horſe-ſhoe of Iron*, another *Gold Ring*, a *Cryſtal-Ball* as big as thoſe of the Tennis-Court, an *Oxehead of Gold* (being the King's Idol) and the top of his *Swords-hilt*, wherein is to be ſeen a double *Calves-head*, *a Golden Caſe for the Hilt*, *a piece of an Agate-Cup*, *with ſeveral other things*, of very great Curioſity. The Treaſure was preſented to Arch-Duke *Leopoldus Guilielmus* then Governour of the Low-Countries, for the King of *Spain*; who giving to the poor of the place more than the value thereof, with reward to the poor Man, who firſt diſcovered it, commanded *Chifletius* to make what Obſervations he could upon the particulars, and commit his Remarks upon ſo eminent and noble a Subject to Poſterity. This he hath done in his *Anaſtaſis Childerici*, or *Reſurrection of* Childerick; a Book furniſhed with much Good, and various, ſometimes impertinent Learning, out of which, it will not be amiſs for us to make ſome Obſervations, which may tend to the Illuſtration of the Subject in hand; the knowledge of theſe moſt dark and confuſed times, and the farther not impertinent Information of the Reader, to whom perhaps it may be ſome Recreation after theſe knotty Diſquiſitions.

28. That it was a Cuſtome of old time, to bury Treaſure and much Riches with Kings, and great Perſons; the Hiſtories of *David*, of *Cyrus*, and many other Princes do abundantly teſtifie, although *Ulpian* telleth us, that Ornaments ought not to be buried with Bodies; the Deſignment of ſuch things by Will being of no Force, and Null by the Civil Law. That as well Chriſtians as Heathens, have been wont to bury their Dead in very rich Clothes, the Conſent of all Antiquity, notwithſtanding the Law, doth ſufficiently evince. Kings and Souldiers were buried in Purple, as *Childerick* in a Robe of Gold, wrought upon purple Silk, as did appear by what remains were found in his Grave; which time and moiſture had not altogether cauſed to change their Colour. Upon his *Signet* or *Gold Ring*, is his Image ingraved, having very long Hair, and large, lying upon both his Shoulders, holding in his Right hand a *Dart*. The Inſcription *Childirici Regis*, not in *Gothick* but *Roman* Letters; a certain Note, whoſe *Ring* it was, and to what times it belonged, even thoſe wherein the *Roman* Elegancies, good Arts and Sculpture amongſt the reſt were not as yet aboliſhed, although remitting much from its ancient Perfection; *G.* in the word *Regis* being changed into *S.* The writing of *Childiricke* was of old uſed, as well as *Childerick*, as of *Sigibertus*, for *Sigebertus*. *I* having ſo much affinity with *E*, that as *Varro* acknowledgeth, the Ancients were wont to make uſe of them indifferently. Neither ought the Ring to be ſuſpected, becauſe the Inſcription is in *Roman* Characters: For the *French* Kings of the firſt Race were skilled in the Latin Tongue; as it appears in *Theodomeres* one of the number, the Son of *Richimeres*, and *Aſila*, expreſſed in a Golden Coyn, publiſhed by

Lib. 14. f. de Religioſis & ſumptibus funeribus & ſervorum lege 12. f. Fin. de legatis. 1.

Sect. 2. by *Paulus Petavius* with this Inſcription, *Teudome Rex* of the very ſame Character, as this of *Childerick*. *Clodonæus* the firſt, *Clotarius* the firſt were both of them Learned in the *Roman* Language, and of the latter *Petavius* publiſhed alſo a Golden Coyn, on which was twice inſcribed *Chlotarius Rex*. The like inſtance might be made in ſeveral others.

29. Indeed granting that to be true, which both *Gregory Turonenſis* and *Aimonius* write, concerning *Chilperick*, the firſt, his adding four new Letters to thoſe formerly uſed, and *Ch* amongſt the reſt, the King with its Inſcription might juſtly be ſuſpected, *Childerick* being Great Grandfather to him, by whom thoſe four ſhould be invented, and therefore his Name written *Hilderick*, the *Ch* not being as yet in uſe. But who can be ſo ridiculouſly credulous, to believe that *Chilperick* brought theſe Letters firſt into the World, which are manifeſtly taken from the Greek Alphabet, and were then in uſe amongſt the *Romans*? from whom perhaps, *Chilperick* might ſo far take them as to Communicate them, to the Orthography of the Vulgar *French*, for as well that, as other barbarous Northern Nations, might be very deficient in Characters and Writing. But to ſay, or imagine that thoſe amongſt them who underſtood Latin, could not uſe *Ch* before his time is more than Extravagant. Therefore, in a Golden Coyn of *Chlotarius* the Father of *Chilperick*, is twice ingraven *Chlotarius Rex*. None that are Learned in the Greek and Latine Tongues, but muſt needs take notice of the great difference in their Writing, and pronouncing the *Roman* Names of Men and Places; for each Language hath its particular Genius and Idiome, not onely of Phraſe, but Pronunciation alſo, to expreſs which, Letters are or ought to be adopted as near as poſſible. The Name of *Childerick* is *German. Huldas*, *Aventine* tells us, is *Love*; *Hulderick*, *Love of a Kingdom*, or *Rich in Love*; or, as *Hadrianus Junius* interprets it, *Rich in Suffrage*, *Hulden* being the ſame, as to *Grace with ones Suffrage*; the Letter *C* being *Euphoniæ gratiâ* added to *H*. But whom the Ancient *Saxons* named *Hylderick*, the *Celtæ* called *Childerick*, and thence might the *Romans* take it, as more agreeable to their Pronunciation. Therefore, not onely *Gregory Turonenſis* writes *Childerick* and *Chilperick*, for *Hilderick* and *Hilperick*, as *Chuni* for *Huni*; but *Claudian* alſo, *Auſonius*, *Sidonius* and *Proſper*.

Lib. 5. c. 44. Lib. 3. c. H.

In Nomenclatura.

Hiſt. Bat. cap. 23.

Et Hilperick.

30. As for the long Hair, which *Chilperick* wore, as his Image cut in his Seal repreſents him; the Reader muſt know it was the Cuſtome of the Noblemen, amongſt the *Franks* or *Sicambri* to uſe that Faſhion, which was utterly unlawfull for the Vulgar ſort. The *Romans* when they took any of them, cut off their long yellow Hair, and ſent them to the Women for new Faſhions, which muſt needs be a great affliction to them, conſidering that by the Salick Law, no leſs a mulct than two hundred and fifty *Denarii* were inflicted, on any one that ſhould Poll any Boy without the Knowledge and Conſent of his Parents. But their Beards were as ſhort as their hair was long, being cloſe ſhaved off, as *Sidonius* the Poet deſcribeth them. The Spear which he holds in his Right hand, was not onely for War, but betokened Dominion and Empire; it appearing from *Gregory*, *Aimoinus* and others, that the Kings uſed the delivery of it, as a ſign of Inveſtiture (being indeed the ſame with the ancient Sceptre) to which ſucceeded amongſt the *German* Emperours, a Sword for Kingdoms, and a Banner for Provinces. As to the faſhion of the Signet it ſelf, Kings before the uſe of Arms on Shields, according to the preſent Cuſtome, were wont to ſign and Seal with ſeveral Impreſſes and Repreſentations. The ancient *Perſian* Kings uſed the Image of the preſent King, ſay ſome, others of *Cyrus*, and others ſay of the Horſe of *Darius*, which got him the Kingdom by Neighing. *Alexander* the Great, as writes *Curtius*, ſealed ſuch Letters as were ſent into *Europe*, with an old King, ſuch as were for *Aſia*, with that of *Darius*. *Scylla* cauſed to be Ingraven in his Ring the Image of *Jugurtha*, whom he had Conquered. *Auguſtus Cæſar* at firſt Sealed with a *Sphynx*, and when he perceived that gave occaſion of Diſcourſe, with the Image of *Alexander*, and at laſt with his own (cut by *Dioſcorides*) which laſt Faſhion was followed by his Succeſſours. Yet *Galba* broke the Cuſtome, Sealing with his Paternal device of a *Dog looking from the Deck of a Ship*. And *Commodus* tells *Clodius Albinus*, that he ſhould receive his Letters ſealed with the Seal of *Amazonia*; the ancient Kings of the *Franks* wore their own Images in their Rings, repreſenting onely the Head and part of the Breaſt, by the *Romans* called *Effigies Thoracatus*, and Πρστομὰς Βασιλικὰς, by the *Greeks*. Such is this of King *Childerick*, and a later of *Chilperick* his great Grandſon, having after the Faſhion of thoſe of the Eaſtern Emperours, their Breaſt-plates adorned as it were with *Gemms*.

Claudian. in laud. Stiliconis Greg. Turon. lib. 2. c. 9. & lib. 3. c. 18.

Tit. 28. §. 2. In carm. 5. Vultibus undique raſis Pro barba tenuer pera rantur peſtine criſta.

Otho Friſingenſis, lib. 2. c. 5.

Thucid. Interpr.

Lib. 6. c. 11.

Plutarch.

Sueton.

Dio, lib. 51.

Capitolinus in Clodio.

31. But amongſt the other Rarities preſented to the Arch-Duke, was there an Image of the Head of an *Oxe* of pure Gold, whereof the Eyes, Noſtrils and Horns were decked with Rubies. The Brain-pan was hollow and open, having a cover, and

Sect. 2. pull it down, and build up another ſtronger and upon more deep Foundations. In the Year 1653. the twenty ſeventh day of *May*, at three of the Clock in the Afternoon, when they had digged to the depth of ſeven Foot, or more, lighting of a kind of a ſtony Rock, there was found a Button of Gold, and preſently after a bundle as it were of rotten Leather, wherein were contained more than one hundred Golden Coins, by one *Hadrian Quinquinus*, a Labourer both deaf and dumb, who by his inarticulate Voice and Geſtures, called as well as he could the Neighbours together. *Pattus* with two of the Wardens came to the place, with intention to ſeize on the Treaſure for the uſe of the Church, and furthering the building. There they found moreover about two hundred Silver *Roman* Coins ſo eaten with Ruſt, that they could not be read, and therefore were afterward loſt, no reckoning being made of them. Many pieces of Iron almoſt all conſumed with Age, and the moiſture of the Ground. Two skulls, whereof one of a larger ſize, together with the bones of an humane Skeleton. Then within a matter of five Foot farther, many other things of Art and value; as a Sword, that at the firſt handling it fell into pieces, with the Hilt and Scabbard, *Eſtines*, or a Caſe of writing Inſtruments, the Head of an Oke, with about three hundred Bees (many more it's Conjectured, being carried away amongſt the Rubbiſh) a Bodkin, Buttons, Claſps, Nails, Plates, and Boſſes all of Gold, and ſet with an infinite number of Rubies, beſides the Skull of an Horſe. And that without which, neither the Age nor Perſon, whom they concerned could ever have been known, the Golden Ring of *Childerick*, King of the *Franks*, and therein his Image and Name ingraven.

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Lib. 14. f. de Religioſis & ſumptibus funeribus & ſervo. liens 113. f. Fin. de legatis. 1.

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Hiſt. Bat. cap. 23.

Et Hilperick.

30. As for the long Hair, which *Chilperick* wore, as his Image cut in his Seal repreſents him; the Reader muſt know it was the Cuſtome of the Noblemen, amongſt the *Franks* or *Sicambri* to uſe that Faſhion, which was utterly unlawfull for the Vulgar ſort. The *Romans* when they took any of them, cut off their long yellow Hair, and ſent them to the Women for new Faſhions, which muſt needs be a great affliction to them, conſidering that by the Salick Law, no leſs a mulct than two hundred and fifty *Denarii* were inflicted, on any one that ſhould Poll any Boy without the Knowledge and Conſent of his Parents. But their Beards were as ſhort as their hair was long, being cloſe ſhaved off, as *Sidonius* the Poet deſcribeth them. The Spear which he holds in his Right hand, was not onely for War, but betokened Dominion and Empire; it appearing from *Gregory*, *Aimoinus* and others, that the Kings uſed the delivery of it, as a ſign of Inveſtiture (being indeed the ſame with the ancient Sceptre) to which ſucceeded amongſt the *German* Emperours, a Sword for Kingdoms, and a Banner for Provinces. As to the faſhion of the Signet it ſelf, Kings before the uſe of Arms on Shields, according to the preſent Cuſtome, were wont to ſign and Seal with ſeveral Impreſſes and Repreſentations. The ancient *Perſian* Kings uſed the Image of the preſent King, ſay ſome, others of *Cyrus*, and others ſay of the Horſe of *Darius*, which got him the Kingdom by Neighing. *Alexander* the Great, as writes *Curtius*, ſealed ſuch Letters as were ſent into *Europe*, with an old King, ſuch as were for *Aſia*, with that of *Darius*. *Scylla* cauſed to be Ingraven in his Ring the Image of *Jugurtha*, whom he had Conquered. *Auguſtus Cæſar* at firſt Sealed with a *Sphynx*, and when he perceived that gave occaſion of Diſcourſe, with the Image of *Alexander*, and at laſt with his own (cut by *Dioſcorides*) which laſt Faſhion was followed by his Succeſſours. Yet *Galba* broke the Cuſtome, Sealing with his Paternal device of a *Dog looking from the Deck of a Ship*. And *Commodus* tells *Clodius Albinus*, that he ſhould receive his Letters ſealed with the Seal of *Amazonia*; the ancient Kings of the *Franks* wore their own Images in their Rings, repreſenting onely the Head and part of the Breaſt, by the *Romans* called *Effigies Thoracatus*, and Πρωτομικὸς Βασιλικὸς, by the *Greeks*. Such is this of King *Childerick*, and a later of *Chilperick* his great Grandſon, having after the Faſhion of thoſe of the Eaſtern Emperours, their Breaſt-plates adorned as it were with *Gemms*.

Claudian in laud. Stiliconis Greg. Turon. lib. 2. c. 9. & lib. 3. c. 18.

Tit. 28. §. 2. In carm. 5. Vultribus undique raſis Pro barba tenues peraguntur pectine criſſa.

Otho Friſingenſis, lib. 2. c. 5.

Thucid. Interp.

Lib. 6. c. 11.

Plutarch.

Sueton.

Dio, lib. 51.

Capitolinus in Clodio.

31. But amongſt the other Rarities preſented to the Arch-Duke, was there an Image of the Head of an *Oxe* of pure Gold, whereof the Eyes, Noſtrils and Horns were decked with Rubies. The Brain-pan was hollow and open, having a cover, and

Sect. 2. and the whole pervious and hollow, as far as the Throat for the receiving (it's probable) of Wine or other Liquors for Adoration. On the cover was a Button, either for to hang on it Magical Toys, for Garlands, Flowers, or the like Gifts, or Offerings. This hung on the Forehead of his Horse, being fastened to the Head-stall, from which *Pattus* the Priest loosed it, and was indeed the King's Idol, and Companion in his Warlike expeditions. For the *Franks* were at this time *Pagans* (or *Fanaticks*, as an ancient Authour calls them) using various sorts of Images and Representations; and amongst others, it seems this of an *Oxe*, which whether they had it from the *Ægyptian* Custome of worshipping the Bull *Apis*, or each People received it from a more general abuse of Religion, at the dispersion of Nations as some conceive, is not fit in this place to be discussed. *Chifletius* observes, that after Christianity came amongst them; they were yet much addicted to this sort of Animal, being wont to be drawn by them in Chariots, which Custome yet continues amongst the Inhabitants of *Taxandria* or *Brabant*, where the most ancient *Franks* first seated themselves. He conceives the Idol to be hung at the Forehead of the Horse out of a Religious humour, which *Tacitus* long agoe observed to be in the *Germans* (Predecessours and Progenitours of the *Franks*) who attributed much unto the Neighings, or various noise made by Horses, taking thence their presages, and counting no *Auspicium*, so certain and infallible. But as the Horse his Face was adorned with this Idol of an Oxes Head, so his trappings with a number of Bees of the same Metal; there being betwixt the Natures of Bees and Oxen, so great affinity, that as Naturalists unanimously agree, Bees are generated out of the corrupted Carkasses of Oxen, and as both *Bernardinus Gomesius*, and *Kircher* have observed in several Drones, which in their Entrails retain something which manifestly bears the shape of the Idol of *Childerick*. All those Bees were of one bigness, weighing each thirty six Grains of pure Gold, having none of a larger size, or Kings amongst them, which Office *Childerick* desired alone, and without any Representation of a Competitour to enjoy, whilst the little Bees expressed the duty of loving and obedient Subjects.

Gesta Reg. Franc. eorum.

Lib. de moribus Germanorum.

Gomesius & in illo Vossius, lib. 4. Obelisci Pamphili, cap. 1.

32. Hereby seasonably, as *Chifletius* judgeth, may be determined that Question so much of late debated, and by none Satisfactorily determined, *viz.* What were the Arms of the ancient *French* Kings? *Guaguinus* tells us, that it was a constant Report continued to his time, that three Toads were born by them in their Armour, which *Papirius Massonus* also confesseth; but affirms the opinion to be grounded upon no Authority. *Nicolaus Gillius* reports, that *Clodonæus* the first bore in his Escutcheon three Crescents, which at length he rejected and exchanged for Lilies, but he who lived the last Age is not at all to be heeded, relating a thing which happened one thousand one hundred Years before, without some Testimony of Antiquity to back him. In like manner, *Paulus Æmilius* tells us a story of *Clodonæus*, who being to be Baptized, instead of three red Diadems, which he bore in a White shield whilst he was *Pagan*, took Lilies, which hath no more Foundation in Antiquity than the former. Neither were Lilies then born by the ancient *French* Kings. First, because as now they are the Arms of *France*, they are Golden, which Colour is not natural unto Lilies, envied by *Venus* her self for their Whiteness. Again a Lily consists of six Leaves, these of *France* but of three; and lastly, none of these Kings used them, forasmuch as *Duchesne*, Historiographer to the *French* King, confessed in a Letter to *Chifletius*, that he could not observe Lilies in any Seal of the *French* Kings before *Philip Augustus*. Upon this Account, those both of the Line of *Meroneus*, and *Charles* the Great are excluded, to whom those Lilies in their Tombs are falsly ascribed, which gave *Peireskius* just occasion, as well as other Circumstances, to Quarrel with the Tombs of *Clodonæus* at St. *Genonefue*, and *Chilperick* at St. *Germans*, and to esteem so little of those at St. *Denis*; that he thought all those most ancient Monuments to have been built at the same time, and not long before the Reign of St. *Lewis*. *Fauchet* Conjectures, that the first Heralds that invented the Coat Armour of the *Franks*, intending to denote their Original from the *Sicambri*, who inhabited the Fenns of *Freisland*, toward *Holland*, *Zeland* and *Guelderland*, gave their Kings the flower *Fanilea* or *Iris* (being a little Lily of a yellow Colour, which groweth in Marsh Grounds, and flourishing in *May* or *June*) in a blew Field imitating water, which when it stands still acquireth the Colour of the Skies. But not to speak of Geography, which gives to the *Franks*, as we have seen, dry Ground as well as Marshes; *Chifletius* rejects this flower partly, because there is of it no mention in Antiquity. Especially, for what he discovered in the Grave of *Childerick*. *Renatus Ceriserius*, would have them to have been the Head of a Spear, which afterwards came to be changed for its similitude into Lilies: But he brings

In Clodoneo.

Lib. 3. Annal.

In Clodoneo.

Præfat. ad Tacitum Francicum.

brings no Authours on his side, and confounds the Spear or *Framea*, with the *Francisca* of the *Franks*. Sect. 3.

33. Having taken so much pains to tell what they were not, at length, he concludes what the Arms were. *viz.* No other but Bees, wherewith the trappings of *Childerick* his Horse were all over garnished, as I remember I have seen at *Paris*, in the Church of *Nostre Dame* the Horse of St. *Lewis*, (who at the upper end of the Body of the Church, hath there his Statue on Horse-back at the Right hand, as one goes toward the Quire,) just so bestowed, and set out with Lilies. His main Argument is taken from *Childerick's* Horse. The Bees he conceives did at length degenerate into Lilies, for more Reasons than one. First, because the Lilies of *France* as they are painted, are not much unlike Bees, especially such as are found in the old Coins of the *Ephesians*, and *Delphians*, which have their Wings so long and stretching out, that together with the Tail, they make a Figure much resembling the shape of the Modern *French* Lily. As many Lilies were born, and in uncertain numbers, by the *French* Kings descended from *Hugh Capet*, so many Bees were found in the Grave of *Childerick*. The Lilies of *France* are Golden, so these Bees of pure and shining Gold. The Lilies you must know, were accounted of Celestial Original by the Vulgar, and Bees are not derived from inferiour Pedegree, by those Heralds the Poets. These Flowers *De lis*, (as we English must call them, because the *French* do) are blazoned in a blew Azure field, which is the Element or Camp of our Bees, who exercise themselves continually in the Air. A Bee you know gathers Honey; to which *Pliny* gives grand Epithetes, and which is also of a yellow or Golden Colour. A Lily is a Royal flower, and so is a Bee a Royal (what shall I call it) Insect. But that we may tell the Reader, how by degrees the Arms, or Devices of *France* came to be changed; he must know, that Bees were thus in repute with *Childerick*, and *Clodonæus* his Son, till such time as he turned Christian, which was, *A. D.* 496. Though the story hath gone, that he then rejected the Toads, and exchanged them for Lilies. From this time *Chifletius* guesseth, he and his Son *Clotharius*, used no other Image or Representation, than that of the Cross, for in a Golden Coin of this *Clotharius*, which *Paulus Petavius* (as *Gassendus* telleth us) received from *Peireskius* and published, which also *Chifletius* in his *Vindiciæ Hispanicæ* hath exemplified; there is to be seen on one side his own Image, and on the other a Cross. The Kings of the second race used no other *Symbolum* in their Seals, nor Monuments. As for the third, *Fauchet* writes, that he could not make any certain Observation, of any Lilies used before *Lewis* the *Gross*, in whose Reign, or a little before those Ensigns called Arms began to be Hereditary. This *Lewis* began his Reign in the Year 1108. and the *Crusado*, or expedition into the Holy Land (from which Families derive their Arms, or Ensigns of distinction) was undertaken in the Year 1096. At which time *Chifletius* imagines, that unskilfull Heralds being to give Arms to the *French* King, painted the Bees so ill-favouredly, that they represented Toads, as well as that for which they were designed: *Fauchet* produceth indeed an old Coat Armour, wherein Lilies were so badly painted, that one might take them as well for Toads as Flowers. At length *Philip Augustus*, who travelled to *Jerusalem*, *A. D.* 1190. First took the Lilies into his Coat Armour, but many in number of so late standing are the *French* Lilies, which were afterward reduced to the number of three in the Reign of *Charles* the Sixth, who departed this Life in the Year of our Lord, 1422.

Esse apibus partem divinæ mentis & haustus Ætherios dixere.

In Originibus.

34. To speak briefly of the other remaining Rarities; the Style or Pin, wherewith he wrote was of Steel, such as the Ancients used to write with in Tables, covered over with Wax. It was quite consumed in its Golden case, to which *Chifflet* procured another to be fitted, and affirms it was not onely serviceable for writing, but for stabbing also, if need should require; this *Graphium* or *Stylus*, having been too often employed in such Service, as appears from the *Roman* story. The *Graphiarium*, or Case, was all of pure Gold, not sparkling with Gemms, as the other Royal Ornaments; but ingraven all over with little Crosses, upon which Account, seeing the King himself was a Pagan, *Chifflet* conjectureth it was given him by St. *Genonefue*, the Patroness of *Paris*, a Virgin much honoured by him, and for whose sake as the Legend tells the story, he remitted the Sentence of Death to several Offenders. From the keeping of the *Graphium*, he thinks the *Grasiones* or Graves, which Answer the greater sorts of Counts to have been denominated. But the *Pugillares*, or *Diptycha* (when consisting but of two Leaves) or Tables on which he wrote, were consumed by time and moisture, onely the Gold case remaining, wherein they were set. Sometimes these Tables were of Box, sometimes of

Sect. 2. Ivory, or other choicer Stuff. According to the Wealth and Quality of the owner.

35. It was the Custome for the Arms of Princes and great men to be Burnt or Buried with them, as appears from *Cyrus Eptiæstion* and others, and *Tacitus* witnesseth particularly concerning the *German* Nation. Which gave occasion since the days of Christianity, to the setting up of Coats Armours upon Graves, and fixing them unto Herses, and daubing or hanging the Walls of Churches with them, as is extravagantly practized in the Low Countries, the Provinces of *Holland* especially. Accordingly with *Childerick* was Buried his Sword, the Steel whereof all fell apeices, but was discovered to be about two feet and an half in length, having onely one Edge, as intended to Cut and not to Stab. The Gold and sparkling Gemms which adorned the Scabbard, and Hilt remained intire, weighing twelve ounces and two drachms. Besides this Sword which had a Golden Hilt adorned with Gemms, so as to make it sutable to the Scabbard, there was the head or Iron of a Battle Axe very much eaten with rust, three parts of a foot long, and half as broad, the figure whereof as of all the rest of those things, *Chifflet* caused to be cut in Copper and stamped in his Book. This Axe or Hatchet was by the *Spaniards* called *Francisca* from the *Franks* their using of it, as *Isidore* of *Hispalis* affirms, being called *Francisca* or *Francica* in the same sense, as in the Acts of a certain Council, *Charles the Bald*, Emperour, is said to have come in a Golden Robe after the *French* fashion, *Habitu Franciſco*, with the Legates of the Apostolick See. Most Authours in describing the *Francisca* make it a *Bipennis* or two-edged, and their Authority is of such weight, some of them being capable of seeing them with their Eyes, that we can little doubt of their Testimony. Yet this of *Childerick* was a plain Axe, so that we must believe the *Franks* used two sorts of this Weapon, though *Bipennis* be taken sometimes for a simple, single or plain Hatchet. Besides this *Francisca*, was found the head or Iron of a Spear or Javelin of a triangular form, such as *Vegetius* describes, and the same which *Tacitus* mentions under the name both of *Framea* and *Hasta*, describing it accordingly to have been a short kind of Spear, with a narrow and light Iron, but so sharp and convenient, that they could fight either *Cominus* or *Eminus* with it as they saw occasion. So that *Pontanus* was grosly mistaken, imagining the *Framea* to be the same thing with the *Francisca*.

Lib. 18, cap. 5.

Aſſ. Concil. Pontegonenſis Aimoinus, lib. 5. c. 33.

Bipennis per ſe plenum eſt & ſecurim ſignificat. Haſtas, vel illarum vocabula ſignificant angones & levi ferro; ſed ita acri, & ad uſum habili ut eodem telo, prout ratio poſcit vel comminus vel eminus pugnent.

36. As it was a Custome for great Persons to have their Arms buried with them, so also their Horses and Grooms, sometimes their Wives with other Servants and Attendants, as is clear in the Story of the *Indians*, *Scythians*, *Galls*, *Danes* and *Germans*. With *Childerick* was Buried his *Bucephalus*, whom it pleaseth *Chifflet* so to name, not because he had the figure of an Oxe-head upon his Shoulder as he of *Alexander*, but bore on his forehead his Master's Idol. The bones of his Head and Jaws were remaining, with a Shoe of Iron almost consumed, yet entire at the first view, which shewed his Feet to have been none of the biggest. And besides the Golden Bees formerly mentioned, so many Golden plates and bosses were found belonging to his Bridle and Trappings, as discover them to have been exceedingly Royal and Magnificent, which the Relatour thinks designed rather out of respect to the Idol than the Rider. But the Bones of the Horse discovered abundantly, what Man's skull the other was found with that of the King, it being the Custome to have the Groom as well as the Horse, either Burnt or Buried with his Master. The Groom of *Childerick* was very young, as appeareth by his skull compared with the King's. Princes being wont to have such small attendants upon their Stables, (perhaps onely as Pages of the Stirrup for they could not doe the work.) In a certain Diptyck of Ivory belonging to the Cathedral of St. *Lambert* in *Leige*, wherein is described *Saminanus* or *Sabinianus* the *Comes Domesticorum Equitum*, and Ordinary Consul in the year 505, under *Anastasius*, are also drawn to the Life two little Dwarfish Grooms leading out of the Stable the Emperour's Horses, and below them other five of the same Stature, amongst whom two having their hands bound behind them, and an Horse-shoe or something of that Nature hanging at their Noses or Mouths. The whole Description of them is to be seen in a Brass Cutt in *Chifflet*ius his Book.

Servius in Virgil. Æneid. Herod. lib. 3. Cæſar, bell. Gall. lib. 6. Saxo Gram. lib. 8. Tacitus de moribus German.

37. The Buckles, Clasps or Buttons belonging to the Ornaments of the Horse expressed in Latine by the word *Fibulæ*, were of pure Gold and set thick with Rubies and other Gemms, an Honour peculiar to Sovereign Princes. *M. Brutus* of old complained that Tribunes were so luxurious then as to wear Golden *Fibulæ*. *Aurelian* the Emperour was the first that gave common Souldiers leave to wear them of Gold, whereas formerly they had onely used those of Silver. *Leo* the Emperour forbad the wearing of Pearl and Jacinths in Bridles, Saddles, or Girdles, but permitted single *Fibulæ* of Gold to be worn by private persons, with this caution, that what was Sacred as he terms it to his use and Ornament, they should not dare to imitate. *Joannes Rhodius* complains that of the ancient *Roman Fibulæ* none could be found but those of Brass, and those also very rare, onely *Pancirollus* tells us of a Golden one he saw, the figure whereof was sent to *Charles Emanuel Duke of Savoy*. In the East the single Golden ones were peculiar to Princes and very great men, as appears by the privilege granted to *Simon* the High Priest by *Demetrius* to be Clothed in Purple and to use a Golden *Fibula*, as *Jonathan* had received the same privilege from *Alexander* and *Antiochus*. The ancient *Fibula* of the *Romans* was without an Hook, resembling a kind of a Bow to which a Bodkin made a String: But those of *Childerick* though various in shape, yet for the most part imitate the Modern ones in the Hook, and the Ring into which it is inserted. Had *Pancirollus* lived to see this Treasure, he would have been sensible how much Light might thence have been obtained for clearing of the thing so much controverted. They were so many of them and so massie, that altogether they weighed 17 ounces of Gold. The form of them is very well represented in the Book of *Chifflet*, neither the space of 1200 years, nor the moisture of the place, having at all corrupted the substance of the Gold, nor changed the lively and sparkling Colour of the Gemms. The Crystal ball found in the Grave, he thinks was used by the King in his Sickness, a virtue being ascribed to those Balls by Naturalists of refreshing and cooling the hands of those that lie sick of acute Fevers. But we have made too long a Digression.

Plin. lib. 33. cap. 3.

Vopiscus. Aurel. lib. 11.

Sect. 2.

SECT. III.

From the Death of Childerick, *and the Promotion of* Clodonæus *the first Christian King, to the Ruine of his Family, or of those called the* Meroningians.

The space of two hundred sixty four years.

Clodonæus succeeds.

1. TO *Childerick* succeeded *Clodonæus* his Son, begotten on *Basina*, and the Heir of his Courage as well as his Kingdom, being by some called *Hludouicus*, and by others *Hlodowicus*, *Ludovicus*, and *Ludwin*, according to the diversity of Nations and Dialects, in the eleventh year of the Emperour *Zeno*, the ninth of *Odoacer* King of *Italy*, the second of *Fœlix* the *Roman* Bishop, *A. D.* 484, *Theodorich* King of the *Goths*, and *Venantius* being Consuls.

Sect. 3.

A. D. CCCCLXXXIV. Theodorico & Venantio Coſſ.

2. *Clodonæus* not onely filled *Gall* with the fame of his Atchievements, but affrighted all *Europe* by the Noise of his successfull Arms. *Gall* was at this time held by four several Nations, all which Lorded it over the poor Natives, *viz.* the *Romans*, *Goths*, *Burgundians* and *Franks*. He esteeming it a thing below him, and unworthy of his Progenitours, to content himself with what their Valour had devolved upon him, resolved to raise his Name as high as their Renown by new Conquests.

Makes War with the Romans.

The *Romans* he thought fit to begin withall, because their Power now seemed utterly decayed, and upon the Invasion of *Italy* and these Western Provinces, the *Præfecti Prætorio* kept to themselves such Cities as they had formerly Commanded. Having drawn in *Chararichus* and *Ragnacharius* his Kinsmen, and petty Princes of the *Franks*, in the fifth year of his Reign he marched against *Syagrius* the *Roman*, who held the City of *Suesſio* now called *Soiſſons* and provoked him to Battel, who not at all dismayed with the terrour of so great a force as *Clodonæus* brought along with him, came forth and Ingaged, but had the fortune though he fought most valiantly to be overthrown, and fled for succour to *Tholouſe*, to *Alaricus* King of the *Goths*, who overcome with the threats of *Clodonæus*, delivered him up into his

Gregorius Turonenſ. lib. 2. c. 29. Aimoinus, l. 1. c. 12.

Sect. 3. Hands, and he caused him presently to be beheaded. Then did the Victorious King subdue *Soissons* with the other Towns adjacent, and inlarged his Territories as far as the River *Loire*, the *Romans* being utterly dispossessed of and driven out of *Gall*, their Dominion over which Countrey now received its period, after it lasted from the time of *Julius Cæsar*, his first Invasion about 546 years, in the year of our Lord 488 or 489, *Probinus* and *Eusebius* being Consuls.

And drives them out of Gall.

488 or 489.

3. But amongst the Allies and Associates of *Clodonæus*, *Chararicus* is said as solicitous about the event to have carried himself rather as Neuter in this War, though descended of the same Stock with the King. For at this time there were several Reguli of the *Franks*, who Reigned in *Gallia Belgica* called *Austrasia*, and *Francia Orientalis*, as that Countrey, now called *France*, was known by the name of *Francia Occidentalis*; of these *Sigebert* had his Seat at *Coleine*, *Ragnacharius* at *Cambray*, and *Chararicus* in some other place, which it seems they held as Appendages, being descended of the bloud Royal, and acknowledging *Clodonæus* for their Superiour. He having finished the War with *Syagrius* and unwilling to lie idle, fell upon the *Thuringi*, and in the tenth year of his Reign forced them to receive his Commands. And in this same year he Married *Clothildis* or *Crotildes*, the Niece of *Gundebaldus* King of the *Burgundians*, of whom he fell inamoured upon this occasion. He sent on a time his Ambassadours to the Court of the *Burgundian* to establish a Peace, who whilst they made their abode there, took much notice of a Maid that dwelt in the Palace, whom they observed to be extraordinary both for beauty and for deportment. They inquire who she is, and have answer it is the King's Niece, who takes care of her Education, her Parents being Dead. The Ambassadours returning, tell the King they have done all they had in Commission, and fall into large Commendations concerning the Maid, affirming her a Person worthy of the greatest Monarch living. He is hereupon smitten, falling in love with her he never saw, and withall hoping by a Marriage with her so to order his matters, as to make himself King of *Burgundy*; he sends one *Aurelianus* to take more notice of her, and upon liking richly to present her, to Wooe her for him, and to know how she could stand affected to the Match.

Greg. l. 2. c. c. 42.

Conquers the Thuringi.

Falls in Love.

Aimonius, lib. 1. c. 23.

4. *Aurelian* being entred *Burgundy*, and drawing near to the Court, Commands his followers to hide themselves in the adjoyning Woods. He Clothes himself with the Rags of a Beggar, and goes to make trial if he could speak with *Clothildis*, who was gone to Church, it being then the Lord's Day. He amongst other Beggars stands and expects her coming out, and when Service was done, out she came to give her Alms to the Poor. She reaches money to *Aurelianus*, who lays hold on her Hand, and uncovering it makes as if he would kiss it. Hereat she is offended, and going into the Palace, sends for the Beggar and expostulates with him for his saucineſs, who giving her no answer to this Demand, takes the opportunity to doe his Message, telling her that his Master the King of the *Franks* hearing of her excellent Vertues, desired her in Marriage, and he goes to shew her his Ring and the other Presents, but turning about finds that his Bag wherein he conveyed them, and which he had laid behind the Dore was stoln from him. But inquiry being made, the Bag was found and restored to him as a Stranger, out of which he then takes the Presents, which receiving she made him this answer. *It is not lawfull for a Woman that is a Christian to Marry a Pagan, but if Almighty God be pleased so to order it, that I may be a means to bring him to an acknowledgment of his Creatour, I refuse not but submit to his pleasure.* *Aurelian* answered there was no doubt but the King would comply with her, and thereupon she desired him that all might be concealed from her Uncle. He returns and gives his King an account of his success, who is more and more inamoured of her by all Reports he receives, and the more because the Kingdom of *Burgundy* he had already swallowed in his hopes. He sends, and by his Ambassadours asks her in Marriage of her Uncle, who without much adoe consents and delivers her to be conveyed to his Presence. Not long after *Theodorich*, King of the *Goths* in *Italy*, sends and demands *Andalfleda* the Sister, (*Jornandes* saith the Daughter) of *Clodonæus*, and obtains her for his Wife. And so these three potent Nations Invaders and Sharers of the *Roman* Empire, became allied and confederate amongst themselves.

The terms of Marriage.

5. *Clodonæus* four or five years after his Marriage undertook a War against the *Alemans*, it being as contrary to his restless humour, as his ambition to lie idle. They foreseeing the Storm whilst yet beyond the *Rhine*, resolved that seeing there must be a War, the Seat of it should not be their own Countrey, and passing the River would give him some tolerable pretence to quarrel with them. Some say they came into *Gall* to seek out new Seats, and entring into *Germania Secunda*, encamped

Paterius Mussimus, lib. 1. p. 17.

camped at *Tulbiacus* a Village belonging to the *Agrippinenses*, or those of *Coleine*, according to *Tacitus*. *Miræus* in his Chronicon *Belgicum* calls it a Town of the *Ubii*, at this day known by the name of *Zullich*, and *Pontanus* Writes it *Zulpich*, but whatever was the Name, a great and bloudy Battel was here fought by the *Franks*, for preservation of their Conquests, their fame and reputation, by the *Alemans* for their Liberty and their Fortunes. After much contention and slaughter on both sides, *Clodonæus* saw plainly that the Enemy got ground, whereupon with a sorrowfull Heart and weeping Eyes cast up to Heaven, saith *Gregory*, he devoutly implored the assistence of *Jesus Christ*, whom as he said *Clotildis* preached to be the Son of God, and who was reported to afford help and assistence to persons in distress, and procure Victory for such as believed in him, vowing faith in his Name, and therein to be Baptized, if by a Victory now obtained over his Enemies, he might but have experience of his Divine Power. This Prayer made, the Face and Posture of the Battel was instantly changed, and the *Alemans* who had lately born themselves as Victours were constrained to flie, and their King being slain, humbly to beg pardon and peace of *Clodonæus*.

Sect. 3.

Overthrows the *Alemans*.

6. *Sigebert* the Prince of *Coleine* received a wound in his Foot, of which he ever after continued Lame. *Lipsius* would have *Adalogerio* King of the *Boii*, amongst other Princes to have been in this Battel, but *Marcus Velserus* as well as others deny it, affirming that it doth not appear by the Testimony of any ancient Writer, that this Fight touched, or any way concerned that Nation. However, great was the Reputation that *Clodonæus* got by the Victory. *Theodorich* King of the *Goths* in *Italy*, by Letters yet to be seen amongst *Cassiodorus* his various Epistles, congratulated with him, and moved some say by the intreaties of the *Alemans* interceded for them, advising him to use his Fortune and Power moderately toward the Conquered, who yet as it seems from *Ennodius* had no such good Quarter at his Hands, but that they rather chose to accept of the offer of *Theodorich*, who kindly invited them into *Italy*. The Ambassadours of *Theodorich* brought with them a man skilfull on the Harp, as a present to *Clodonæus*, who having formerly desired such an Artist of him, he wrote to *Boetius* requiring him to find out the most expert in all *Italy*. But *Clodonæus* returning home after his Victory, recounted to *Clotildis* his Wife the story of his Prayer, and what had followed upon it, which opportunity she, who had often solicited him heretofore, now taking, so wrought with him, that he took upon him the Profession of Christianity, being Baptized by *Remigius* Bishop of *Rheims*, as will be amply set forth in its proper place.

Rerum Bsilar. l. 2. ad A. 490.

Lib. 2. ep. 41.

In Panegyrico.

L. 2. ep. 40.

Turns Christian.

7. At this time Reigned over the *Burgundians Godegisilus*, in conjunction with *Gundebaldus* his Brother, but fearing that at length he should be sent after his Brother, *Chilperich* the Father of *Clotildis*, whom *Gundebaldus* had Murthered, he sends privately to *Clodonæus* and offers him a yearly Tribute, on condition he would stand close to him and assist against the Tyrant. *Clodonæus* promises him his utmost assistence, and levying a great Army marches streight against *Gundebaldus*, who utterly ignorant of what had passed betwixt them, sends to his Brother requiring his assistence for opposing the Injustice and Violence of their common Enemy. *Godegisilus* returns him good words and fair promises, but joyning his Forces with *Clodonæus* at *Divio*, they fall upon *Gundebaldus* near the River *Oscara*, and putting him to flight drive him to * *Avenio*, which done, *Godegisilus* gives up part of the Countrey into *Clodonæus* his Hands, and departs to *Vienna* lying upon the *Rhosne*. *Clodonæus* in the mean time pursues the flying Enemy, and besieges him in *Avenio*, where being reduced to great Straits, he sends *Aredius* his faithfull Friend to the Besieger, and he so works upon him by arguments drawn from the uncertainty of Fortune, that he perswades him to raise the Siege, which would be tedious and doubtfull, and content himself with a yearly Tribute, which *Gundebaldus* should pay him, who thus recovered his former State and Condition, and *Clodonæus* returned into his own Kingdom. So *Gregory* the Bishop of *Tours* tells the story. *Procopius* writes that the *Germans*, meaning the *Franks*, of their own accord, fell upon the *Burgundians*, and procuring *Theodorich* to joyn with them, they parted the Conquered Countrey according to agreement. However it's said for the present, that *Gundebaldus* recovering himself refused to pay Tribute to *Clodonæus* according to the late Accord, and leading an Army against his Brother *Godegisilus*, besieged him in *Vienna*.

Divio Metropolis Ducatus Burgundiæ hodie Dijon, de qua hac Merula inter plura. Divionis conditor habetur vulgo, mihi potius restaurator, posteriusque prædictor Aurelianus Imperator. Nomen ab Divio qui's pluribus ibi fuit Cultus. impositum putatur. Hac urbe nihil in Burgundia pulchrius, &c.

Forces the Burgundians to pay him Tribute.

Castrum vocatur à Gregorio Turonensi.

* Avenio urbs Saliorum hodie Avignon Metropolis Comitatus.

8. All this while *Alaricus* Reigned securely over the *Visigoths* or Western *Goths* in *Gallia Narbonensis*, having under his Dominion the whole Countrey lying betwixt the Rivers *Rhosne* and *Loire*, as far as the *Pyrenæan* Mountains. *Clodonæus* was so incensed against him for holding the *Arian* Heresie as *Aimonius* believed, or rather

Sect. 3. rather envied him so much for the large share he had of *Gall*, that he resolved to pick a quarrel with him, and for that purpose sent his Ambassadours to him to give him a meeting at the Borders, and to settle some Rules about the receiving of Fugitives, terms so ticklish as he knew would give offence. And *Alaricus* sent back the Ambassadours both without their business done, and without any respect due to those of their Character, which advantage *Clodonæus* readily took and denounced War against him, as well to vindicate and assert the Law of Nations, as the Catholick Faith. The Noise of this War was quickly blown over into *Italy*, and came to the Ears of *Theodorich* the Father-in-Law of *Alaricus*, who offered himself streight as Mediatour betwixt them, writing his Letters to them both, to the Kings of the *Heruli*, *Thuringi* and the neighbouring Nations, (yet to be seen amongst *Cassiodorus* his Epistles) for an Accommodation. "*Alaricus* he adviseth not to be "too confident upon the reputation of the *Visigoths*, for the great things by them "formerly atchieved; he bids him consider what an alteration Peace and Idleness "work in the minds of men, and not to commit that to the chance of fortune, "which with infinite labour and travel had been so long a time procuring, but stay "till he could send to the King of the *Franks*, and be content that the quarrel be "taken up by the Interposition and Arbitration of Friends. He tells *Lodoin*, (for so "is *Clodonæus* there called,) that he could not but wonder he should be so easily mo-"ved, and upon so slight an occasion to make War upon his Son-in-Law, for it "would be the pastime of the Enemies of both Nations. Bids him consider they "are both Kings of most flourishing People, but in the flower of their Age, and "that therefore they ought not lightly and out of love to contention bring their "Kingdoms into extreme hazard; he also propounds to him the mediation of Neigh-"bour Princes, and commands him to lay by the Sword, which he could not in Ho-"nour see drawn by either of them. In conclusion, by the privilege of a Father and a "Friend, he threatens that which soever of them should neglect his Advice should find "the whole power of his *Goths*, and all his Friends and Allies ingaged against him.

Picks a quarrel with the *Visigoths*.

Theodorich King of *Italy* interposes.

9. *Clodonæus* thought it an extravagant and proud humour of the *Ostrogoth*, to imagine that he sate at the Helm of the World, and should take upon him to be Moderatour of Nations, not content to have by his mediation obtained fairer terms for the *Alemans*, than otherwise had been granted them. "Contemning his threats "and slighting his Admonitions, he answers him in short, that he stood affected "toward the King of the *Ostrogoths*, just as it was fit he should and no more, for "he perceived him resolved to give harbour and relief to his Enemies, that he made "no War upon *Alaricus*, but *Alaricus* upon him, which being as good as denoun-"ced against him, he demands why he may not defend himself, and desires he "may not farther be provoked to act any thing which may be contrary to his own "Principles, and the dictates of good Nature. This answer quite alienated the "mind of *Theodorich* from him, who sent speedily to the Neighbouring Kings be-"fore mentioned, inveighing grievously against him as a man that rejected every "thing, that had the stamp of Just and Right upon it, made his Sword the rule "and measure of his Actions, and was absolutely deaf to all reasonable proposals. "He insists upon it as the interest of all Nations, to put a stop to the growing "Power of the *Franks*, which would procure the Destruction of all other King-"doms, if after the *Alemans*, the *Visigoths* should be destroyed. He adviseth that "a Council of Princes be formed, to which *Clodonæus* might be summoned to give "an account, and forasmuch as the safety of each was included in the prudence of "all together, each one must send his Ambassadours to deter him from the executi-"on of what he had but as yet designed.

Clodonæus his answer to *Theodorich*.

10. *Gundebaldus* the *Burgundian* was not deaf to any Proposal made against *Clodonæus* whom he hated, more for his greatness and Power than for his Religion, though he himself was a bitter and inveterate *Arian*. For it can scarcely be believed that he who had Murthered one of his Brothers already, and had now shut up the other in *Vienna*, intending to use him in the like sort, could be much troubled with the dictates of Conscience; neither doth *Clodonæus* in his answer to *Theodorich*, alledge any thing concerning Faith or Religion against *Alaricus*, though the Historians of those times being Churchmen, look upon such Contentions through Religious Glasses, (more suitable to the Organ than the Object,) being as little skilled as practised in Secular Policy and State Mysteries. By this time *Godegisilus* and his followers were sorely straitned in *Vienna*, where Provisions were grown so scarce, that

Vienna, hodie Vienne, urbs Allobrogum Delphinorum circumjacenti tractui nomen dat le pays de viennois. A Venerio Africano exule biennio edificatam & inde Biennam vocatam in vulgus tradunt. Salvè hæc rides Merula. Alpinam vocat Ausonius 4. Parental. & Carm. 7. de urbibus. Notat ibi Vinetus ex Plinio & Ptolemæo Viennam Austria urbem, non ut hodie cognominem huic fuisse sed Viana nomen habuisse.

Godegisilus

Godegisilus thought fit to put out of the Town the mean and the useless Multitude. Sect. 3. This being done, it happened that the Man that had had the charge of the Aqueduct, was thrust out among the rest, which so inraged him, that presently he went to *Gundebaldus*, and discovered to him how he might easily take the City. He led a Company of select Men into the Aqueduct, who following his Directions, with Iron Bars removed the Stones that stopped the passage, and without much labour opened a way for the Souldiers, who entering the City, surprised the besieged, set open the Gates to their fellows, and easily made themselves Masters of the place. *Godegisilus* fled to a Church of the *Arians*, and there was slain, with a Bishop of that Profession. The *Franks* that served him, all gathered together in a certain Towre, as resolved to fight it out, rather than be knocked on the Head, but *Gundebaldus* commanded no harm should be done them, and sent them away to *Alaricus* to *Tholouse*, as into banishment. Such Senatours, and other *Burgundians*, as were of his Brother's Party he slew; the Countrey which now is called *Burgundy*, saith *Gregory* of *Tours*, he settled under his own Authority and Dominion, and to the People he gave milder Laws, that they might not be capable of oppressing the *Romans*. *Lib. 2. c.*

11. *Gundebaldus* elevated upon this success, and proud upon his Alliance, denied now to pay the Tribute formerly promised to *Clodonæus*, who thence seeming to take a just occasion of a Quarrel, was not wanting in the prosecution, which *Gundebaldus* found would be so vigorous, as he resolved not to abide the tryal, but fled to the *Ostrogoths*, and there died in Exile. *Clodonæus* being hereby freed from much Care and Trouble, resolved for a time to omit the through Conquest of *Burgundy*, which *Theodorich* had for the most part seized, and bent all his Endeavours against *Alaricus*. Passing the *Loire*, he pierced through the Coasts of *Tours* into *Poictiers*, a City seated on the River *Clianus* (by *Sidonius* and the Ancients called *Clitis*) ten miles from which, in the grounds called *Campi Vocladenses*, (which Name they almost at this day retain) they engaged in Battel. *Clodonæus* having got sight of *Alaricus*, and remembring the big words and threats that had passed betwixt them, was pricked with a desire of Glory, as well as revenge, and bore up toward the place where he stood to ingage him in a single Combat. This being perceived by two of *Alaricus* his Guard, that they might deliver their King from so imminent danger as now threatned him, they directed their Lances, and all the force of their Horses, against *Clodpæus*; but by the goodness of his Corslet, and the seasonable Interposition of some of his stouter followers, he escaped, having, according to his purpose, slain his Enemy, after he had reigned two and twenty Years. A great number of the *Ainervi*, which had followed *Apollinaris*, perished in this Battel, which was fought in the seventeenth Year of the Reign of *Anastasius* the Emperour, in the fifteenth of *Theodorich*, King of the *Ostrogoths* in *Italy*, *A. D.* 507. *Anastasius Augustus* the third time in the East, and *Venantius Decius* in the West, being Consuls.

He overthrows the *Visigoths*, and kills their King *Alaricus*.

Est Vocladum Castrum in Planis Pictavienses territorii situm, ab urbe Pictavensi decem milibus passuum distans, ut notat Historicus, & quidem adhuc nomen retinens, sed Pictonica pronunciatione distortum, & Voglat dictum; ea planities porretta in aliquot millia passuum patet, locus planè idoneus pugnæ.

A. D. CCCCCVII. *Anastasio Augusto & Venantio Decio Coss.*

12. But *Procopius*, an Authour more ancient than *Gregory* the Bishop of *Tours*, tells the story a little different from his Relation. He writes how the *Germans*, as he calls them, or *Franks*, having invaded the Countrey of the *Goths*, pitched their Camp about *Carcasso*, a City of *Gallia Narbonensis*. That *Alaricus* having levied very considerable Forces, sate down in a very safe and convenient place, expecting, it seems, the Auxiliaries of *Theodorich*, his Father-in-Law, out of *Italy*. But the *Franks* behaving themselves as Souldiers are wont in an Enemies Countrey, and foraging far and near, the *Goths* began to be angry with their King, and charging him with Lazinesse and Cowardise, unanimously required that he would lead them out to battel, affirming they could easily beat the *Germans* without the conjunction and Assistence of *Theodorich*. *Alarick* thus necessitated to fight, led them out, but with so ill success, that he himself lost his Life, together with the greatest number of his Men. *Procopius* adds, that the *Franks*, presently after this Victory, besieged *Cacrassio*, wherein the great Riches formerly taken by *Alaricus* the Elder, at the taking of *Rome*, were reported to be kept, amongst which was the rare and costly Furniture of *Solomon*, that had been carried from *Jerusalem* to *Rome*, at the taking of that City. But hearing of this Siege, *Theodorich* marched thither with all haste to raise it, which the *Franks* understanding, durst not abide his coming, but packed up their baggage, and departed, after which they seized on that Tract of *Gall*, which lieth upon the *Rhosne*, and toward the Ocean, whence *Theodorich*, not able to drive them, there permitted them to settle themselves, and kept that part of the Countrey which he had recovered. This is the Relation in short which *Procopius* gives us, much more probable than the stories which *Cassiodorus* and *Jordanus*

Carcassi, Carcassum, Carcassio, veteribus nonnullis etiam citra germinationem literæ S dicta, hodie Carcassonne urbs Volcarum Arecinorum, olim Episcopalis & gemina. Superiorem & inferiorem interfluit fluvius Atax, (vulgo Aude) unde Populi eum incolentes Atacini dicti.

do

Sect. 3. do tell us, who designing to speak well of the *Goths*, the one becauſe of his Relation to *Theodorich*, and the other out of reſpect to his own Countrey-Men, brag of great things atchieved by the *Goths* againſt thoſe *Germans* whom they will have quite defeated, and to have loſt more than thirty thouſand of their Men. That theſe are flouriſhes appears from this, that theſe *Franks* were not onely able to keep the Field, but lay Siege alſo the ſame year to *Arles*, the *Metropolis* of *Provence*, a thing more uſually practiſed by the Conquerors, than thoſe that are ſo ſhamefully beaten, as they would make them to have been.

Lays Siege to *Arles*.

13. In the mean time the *Viſigoths* conſidering that *Amalaricus* the Legitimate Son of their deceaſed King, was exceeding young, ſent him into *Spain*, there to be reſerved for better times, and made choice of *Giſelaricus*, his baſe Brother, to reign in his ſtead, being by reaſon of his Age in a better condition to grapple with thoſe difficulties that now preſſed upon them. *Theodorich* was ſo kind, as to take upon him his Protection, and for that purpoſe, as was pretended, ſent his Commanders and great Forces out of *Italy*, whereby, in effect, he became King of the Countrey, as *Procopius* not obſcurely hints, which *Giſelaricus* well enough perceiving, boiled with Diſdain and Anger, and entered into a Conſpiracy againſt *Theodorich*, but being not able to effect any thing, and having few either Hands or Heads to employ, but what were at his devotion, upon diſcovery of his Deſign, was deprived of his Fortunes, and fled to *Tranſimundus*, King of the *Vandals*, into *Italy*, whence not able to procure any conſiderable aſſiſtence, at length he went into *Spain*, and after ſeveral fruitleſs attempts, was at laſt ſlain, and an end was put to all his troubles. But to return to *Clodonæus* and his *Franks*, after the raiſing of the Siege he ſends *Theodericus*, his Son, to take in the *Gothick* Cities, while he makes himſelf Maſter of ſeveral lying on the Sea Coaſts, and amongſt the reſt, of *Tholouſe*, the *Metropolis* of the Kingdom, and wherein was kept the Royal Treaſure. Having taken *Bardigala*, or *Bourdeaux*, he therein wintered, and in the Confines of this City defeated a number of *Goths*, who having ſurvived the former Battel, had united themſelves in a conſiderable Body, ſo great ſlaughter being made of them, that the place retained the Name of the *Arian* Camp, from this very occaſion.

Takes *Bourdeaux*, and defeats the *Goths*.

14. But the Conquerour was not content with the Conqueſt of thoſe Cities, nor with the Acceſſion of the *Cadurci*, *Rutheni* and *Arverni*, who yielded up themſelves into his hands; neither yet did ſeveral parcels of *Acquitain* ſatisfie him, on which he had ſeized, having his mind fixed on *Provence*, which he ſorely ſtomached, that *Theodorich*, partly by Force, and partly by conſent of the Inhabitants, ſhould have got into his Power. Impatient of a Competitour in the whole Countrey, he reſolves to drive him out of *Gaul*, and for that purpoſe lays a Siege to *Arles*, the chief City of *Provence*, ſituate upon the River *Rhoſne*, over which then lay a wooden Bridge. Here was fought a ſore and bloudy Battel, the great ſhock of which was ſuſtained by *Tolus*, the Captain of the *Goths*, who after much ſlaughter removed the *Franks* from this Poſt, as *Athalarick*, the Succeſſour of *Theodorich*, relates in a Letter to the *Roman* Senate. But the *Franks* though hindered from paſſing the Bridge, got over at another place, and ſtoutly beſieged the City; yet being neither able to ſtorm the place, nor ſtarve out the Inhabitants, they revenged themſelves upon the naked Countrey adjacent, by Plunder and Devaſtation, of which, when they would make no end, *Theodorich* ſent an Army of *Gepidæ* to reſtrain their Excurſions. This obliged them to retreat, which they did, laden with very great booty, and *Clodonæus* flouriſhing with Military Glory, returned, and took up his Quarters at *Tours*.

Cadurci Quercitens People de Querci in Gallia Celtica.
Ruteni item Rutenois in Gallia Celtica.

After other places ſubdued he returns to *Tours*.

Apud Caſſiod.

15. As there he lay, Ambaſſadours arrived out of *Greece* from *Anaſtaſius* the Emperour, who ſent him the Enſigns and Ornaments of the Conſulſhip. For that Prince being then in *Meſopotamia*, and hearing of the great things performed by him, thought it convenient, by ſuch a kind of Empty reſpect, to gain his Favour, and the rather, becauſe *Theodorich*, the *Gothick* King, and the Emperour were at this time at odds about *Pannonia*, on which the *Goths* had ſeized, and the difference betwixt them was riſen to an open War, *Romanus*, the *Comes Domeſticorum*, and others, being about this time ſent to waſte the maritime Coaſts of *Italy*. *Clodonæus* having received the Preſents with the Reſcript of his Election, ſent for *Theodorich* his Son, intending to make a very formal ſolemnity, and in the great Church of St. *Martin*, inveſted himſelf with the *Tunica trabeata*, and the *Chlamys*, and with a Diadem on his Head, rode through the City, caſting, as he went along, Gold and Silver to the People, being from that day forward, as *Gregory* of *Tours* phraſeth it, termed *Tanquam Conſul* and *Auguſtus*. From theſe words *Tanquam Conſul*, as alſo from the want of his Name in the *Faſti*, it appears that by the Conſulſhip now conferred on him was

Is made Conſul by *Anaſtaſius* the Emperour.

Caſaradunum hodie Tours Metropolis Genii totius Turonum, ad confluentium Ligeris & Cari (le Cher) ſita. Regio propter amenitatem incomparabilem hortus Franciæ audit. Ortelio omnino totius orbis amœniſſima vocari merita, vulgo la Touraine cujus locale Turangeois vocatur.

He ſeizes on the Eſtate and Countrey of *Sigebert*.

Lib. 2. c. 38. Tanquam Conſul & Auguſtus vocitatus eſt.

Sect. 3. was not meant the ordinary Dignity and Magiſtracy which gave the characteriſtical Note to the Year, but the *Conſulatus Codicillaris*, or that by Reſcript or Patent, being honorary, and firſt brought up by *Julius Cæſar*. But about this remarkable paſſage in Hiſtory, various are the Opinions and Judgments of Writers, as their Intereſts and Relations do ſeverally biaſs and incline them.

16. *Baronius* will not believe that he accepted of the Honour, becauſe his Name is not found in the *Faſti*, for he concludes, that the Emperour would never offer him the Honorary or Titular Conſulſhip, being a thing much below him, and unuſual to be conferred upon thoſe of his Dignity. But the Cardinal meaſures the Actions of the King by his own Inclinations, and juſt like the ancient Hiſtorians that were Churchmen, looks at them ſtill through a Glaſs of Religion, imagining that a Sword was made of the ſame Materials as a Biſhop's Croſier Staff, or a Cardinal's Cap as a Souldier's Helmet. The reaſon that moves him to believe that *Clodonæus* would not accept of the Offer is this, that the Emperour was an *Arian*, and he would not have to doe with an Heretick, full as probable as the conceits of thoſe People who believed at *Rome*, that when our *Henry* the Eighth, and Queen *Elizabeth* were by them excommunicated, they would not onely be cut off from the Body of the Church, but from Humane Society, and wither away and periſh for want of Commerce with other Princes and Nations. What he farther alledges concerning the meanneſs of the Honorary Conſulſhip, is founded but upon his own Surmiſes; for though it was lower than the Magiſtracy it ſelf, and the Annual Dignity, yet was it wont to be conferred on very deſerving and eminent Perſons, and the thing was ſo new, and unuſual to the *Franks*, that this might be ſome motive to accept it; beſides, we might inſtance in marks of Honour of a more inferiour Nature, and not go far from home, which have been accepted in later times, both by Kings and Emperours.

17. But he was now accounted *Tanquam Auguſtus*, and the *Purple Tunick* and the *Chlamys* were Enſigns and Ornaments of Royal Dignity, as well as the Diadem. *Fauchet* therefore the Preſident interprets them as ſent in token that he ſhould remain inveſted with that Right and Superiority which the Emperours formerly obtained in *Gall*, noting farther, that as the Biſhops of theſe times did dutifully demean themſelves, to the Majeſty of the Emperours, ſo new Kings were not wont to wear Crowns, till ſent as Gifts from ſome greater Perſons. Yet cannot he deny, but the giving of a largeſs to the People, was a thing uſual and ſolemn to them that obtained the Conſulſhip, and he was not thenceforward called abſolutely *Auguſtus*, but *Tanquam Conſul* and *Auguſtus*, to note that his Dignity was but borrowed. But farther, *Fauchet*, and ſome other Modern Writers, will needs that he received the Patritiate alſo, or Honour of Patritian (not unuſual to be given to Kings) from *Anaſtaſius*; and *Papirius Maſſonus* amongſt the reſt, is pretty poſitive, farther obſerving, that this Honour was far different from the other of the Conſulſhip, the Dignity of Patritian being perpetual, or for Life, whereas that of the Conſul was but annual. But *Baronius* tells him, that for all this, the Honour of the Patritiate was inferiour to that of Conſul; and that it was more common; and beſides, he erroneouſly affirms, that all ancient Authours make mention of the one, but are wholly ſilent as to the other. Laſt of all, *Chiffletius*, no friend to the Grandeur of the French Monarchy, ſticks to that of Conſul, as not willing to allow the King of the *Franks* too much Honour. But what he confeſſeth beſtowed and received from *Anaſtaſius*, he uſeth as part of Promiſes, for uſhering in a grand Concluſion, which he much labours, nay ſweats to make out. This is that the French Kings, by Permiſſion and Authority of the Emperours, enjoyed their Kingdom, and ſo held it, though got by force and violence, that as Vaſſals they ſubmitted and ſubjected it unto them, and obſerved and obeyed their Rules and Commands. In ſumm, he would from this and other Inſtances prove, that both the Kings and Kingdom of *France* are obnoxious and ſubject unto the Empire.

And likewiſe the Honour of Patritian.

Lib. 2. c. 22.

Hiſt. lib. 1. p. 22.

Ad An. Chriſti 508. num. 2.

Epitaphium ejus à Remigio ut fertur compoſitum, hunc habet verſiculum, Patritius magno ſublimis fulſit honore. Vindic. Hiſpanic. c. 13.

18. However, this Ceremony being over, *Clodonæus* departed from *Tours* to *Paris*, where, as *Gregory* words it, he placed the Chair of his Kingdom. There being ſettled, he buſied himſelf with Domeſtick Affairs, and with ſomething ſhortly after which happened amongſt his own Countreymen, the occaſion rather being taken by the King, than given by *Sigebert*, *Canaricus*, *Rachmacharius*, and others of their petty Princes. *Sigebert*, who having his Seat at *Colein*, injoyed no ſmall Dominions on both ſides of the *Rhine*, thought he was not ſufficiently reſpected and rewarded for the great Services he had done *Clodonæus*, and thereat grew diſcontented, when in the mean time *Clodonæus* promiſed his Son *Chlodorick*, that he ſhould certainly ſucceed in the Inheritance after his Father's Death, and find

Sect. 3. him both his loving and his constant Friend. *Clodorick* whatever the King spake or meant, made such an Interpretation as suited his Ambition, concluding that he advised him to hasten his Father's end; therefore following him over the *Rhine*, he slew him in the Wood *Barconia*, the same as some think with that Forrest, which at this day is called *Vesterwald*. The feat done, he gives *Clodonæus* notice that his Father is dead, and desires him, to send some he could trust to receive his Treasure. He gladly sends those that would bring it away, with what farther Instructions it's uncertain; but one of them as *Clodorick* opened a Chest, wherein he said his Father was wont to lay his Gold, bade him thrust down his hand and search it to the bottom, and as he so did, and inclined his Body, he up with his *Bipennis* or *Francisca*, and struck out his Brains. *Clodonæus* having received the News hastens to the place, and there professing to the People, that he was wholly Innocent as to any design against Father or Son, easily persuades them to receive his Protection, and lays the Countrey to his own Dominions.

Gregor. Turonens. lib. 2. c. 40.

Chararick. 19. *Chararick* had as we formerly hinted stood Neuter in the Battel, which *Clodonæus* fought with *Siagrius* the *Roman* Captain, and envying his good Success, carried himself with little Respect toward him; all which the King bore in an exulcerated mind, and by a Wile getting both him and his Son into his hands, compelled them to be shaven, and take Orders; the Father to be made Priest, and the Son to be ordained Deacon. On a time when the Father bewailed his Condition, the young Youth laid his hand upon his Chin, and shewing the small Rudiments he had of a shaven Beard, affirmed, that those leaves would in so flourishing a Tree grow again, and prayed, that he who had been the cause of cutting them, might as speedily perish; which Speech coming to the Ears of the King, he thought it fit to make sure work of it, and commanded them both to be put to Death. He thus made an end of them; but there was one yet behind, the greatest Object of his Jealousie and Indignation, which was *Rachnacharius* the Prince of *Cambray*, and the *Atrebates*; a Man of a luxorious Life, and exceedingly puffed up with a Conceit of his noble Extract, which so far transported him, as to affirm, that the Kingdom of the *Franks* of right appertained to himself, being indeed the Great, Great Grandson of King *Clodio*. By doating on *Faro* his Minion, and his Lascivious Carriage, he so provoked his Subjects, that they conspired against him, and sent to *Clodonæus*, offering to betray him into his hands. He who onely watched for a convenient opportunity, most gladly closed with their Proposals, and to the Conspiratours sent good store of Gold as they thought; but it was onely Brass money cunningly Guilded. *Clodonæus* raises an Army, and marches to them; a Battel is pitcht on both sides, but *Rachnacharius* hath his hands bound behind him, and is so presented to the King, with his Brother *Richarius* in the same posture, both whom he upbraids, that being of the Royal stock, they should suffer themselves to be bound, and therewith kills them in the place. They being dispatched, he procures another Brother they had, *Rignomeris* by Name (otherwise called *Ricunirus* and *Ricimirus*) to be slain, and so possesseth himself of all their Dominions, and their Treasure. Many other Princes out of Jealousie he put to Death, and so many of his Kindred, that one day as his Nobles stood before him, he bemoaned his Condition, that he was an Alien amongst strangers; having never a Kinsman to stand by him in Case of necessity, which yet some thought he spake craftily, to see if any one would present himself as of the Royal Race. But the Traitours who complained, how that their Gold was turned to Brass, he refused otherwise to requite than with a severe reproof, as deserving Death it self, for their Ingratitude and Treachery to their Prince.

And Rachnacharius and others killing them, adds their Countrey to his own.

**Quem hodie Ludovicum Latinè vocant Cæsar Lotavicum dixit. Eris itaque Lupi & Wiis genuina & vera vocis notatis, ut nihil aliud significantius erit quam Populi Refugium. Lupi enim hodie Tonitrios est Populus, Wiick Refugium. Ludwin aut Hludwin eadem fere ratione recidit, nam Lud & Lyd idem quod antè dictum, Popalum notabit. Win autem Pulchrum quid & vemendum, delicias etium & amorem significat, ut Hlewin hoc passu intellectus fuerit populi Amor, delitiæ & voluptuarius.*

20. While *Clodonæus* thus endeavoured to secure to his own Posterity, what he and his Ancestours with so great labour had obtained, about two years after, Death summoned him to other Mansions in the thirtieth year of his Reign, and in the five and fortieth of his Age. In several Authours he hath several *Names, of which we must advertize the Reader, lest he be confounded and mistaken in his perusal of the Histories of these obscure times. In his Epistle to the Bishops after the *Gothick* War, he calls himself *Clotonechus*. *Theodorich* King of *Italy*, directs his Letters to him by the Name of *Ludvin*: In his Epitaph recited by *Aimoinus*, he is called *Clodoneus*; in the Testament of *Rhemigius* the Bishop, who baptized him *Hludowicus*; by *Sigebert* the Historian *Ludowicus*; by *Contractus* and *Albericus*, *Clodonæus*; in an ancient Table at *Brussels*, where he is pictured *Claudius*, and *Cloüis* with the *u* vowel, commonly by the Modern *French*. In the said Table, as his Father is pictured with his back turned, and with a strange and foreign Cap on his head, to signifie his flight and Exile; so he is to be seen, with his Eyes lifted up towards

Clotonæus dies.

wards Heaven, and his Hands closed as praying and imploring divine Assistence, in Memory, as it seems, of the Battel fought with the *Alemans*. He was certainly a considerable Man, and for his great Atchievements against the *Romans*, *Alemans*, *Goths* and others; and for inlarging to so great a Proportion, the bounds of the French Empire deservedly obtained from Posterity, the Sirname both of the Warriour, and of the Great: As for his Piety, how it could consist with such particulars as we have mentioned, let *Baronius* and other Church-men, who are most concerned look to that. He was buried at *Paris*, in the Church of the Holy Apostles St. *Peter* and St. *Paul*, founded by himself, which is now changed into that of the Abby of St. *Genonefue*, where his Effigies was to be seen in the days of *Papirius Massonus*. His Death happened, five years after he had slain *Alaricus* in the twenty fourth Year of *Anastasius* the Emperour, the twenty second of *Theodorich* King of *Italy*, *A. D.* 514. M. *Aurelius Cassiodorus*, whom we have so often mentioned without a Collegue, being Consul. So some collect, but *Scaliger* perhaps with better reason casts it back to the 509. Year of our Lord. Sect. 3.

The division of his Kingdom amongst his four Sons.

21. He left four Sons behind him, *Theodorich*, *Clodomir*, *Childebert* and *Clotharius*, who divided his Kingdom equally amongst them. *Theodorich* reigned at *Metz*, *Clodomir* at *Orleance*, *Clotharius* at *Soissons*, and *Childebert* enjoyed his Father's seat at *Paris*. E'er they were well setled, the *Danes* under Conduct of *Chochilaichus* their King, invaded the Maritime Coasts of *Gall*, and light upon a certain Village belonging to *Theodorich*, which plundering and wasting at their Pleasure, with their Booty and Captives they indeavoured to put to Sea again; their King refusing to go aboard, till he saw them all shipped and put off. But *Theodorich*, having timely notice of this Piracy, sent his Son *Theodobert* with a considerable Power into those parts; who being a young Man of excellent Endowments, so ordered his matters, that he surprized their King e'er he could get to Sea, and then with a Fleet he had ready at hand, set upon the Danish Navy and defeating them, recovered all the Booty they had got. At this time, three Brothers reigned over the *Thoringi*; *Badericus*, *Herminefredus* and *Bertharius*. *Herminefredus* first slew his Brother *Bertharius*, who left a Daughter called *Radegund*, besides several Sons. Not herewith content at the Instigation of *Almaberga* his Wife, who used several Tricks to increase his Jealousie and Ambition; he called in *Theodorich* to his Assistence against his other Brother, promising to divide his Territories equally with him: Joyning therefore their Forces, they fell upon *Badericus*, and easily overpowering him, destroyed both him and the greatest part of his Army. This done, *Theodorich* departed home not doubting, but the Conditions of the League would be performed. But *Herminefredus* thought nothing less; for being once rid of him, he fortified the whole Countrey, and refused to surrender the share due to *Theodorich*; who hereupon boiled with Anger against him, but for the present found no sufficient opportunity to revenge himself.

Divodurum Leodie Mosæ in Gregorio Turonensi & aliis Mosæ urbs Medio matricum olim Regia & Metropolis Austrasiæ, Romani haud ita pridem imperii sedes Regum Francis, Anno 1552. cum aliis occupata: Sita est ad confluentiam Selliæ in Mosellam. Genebum alio nomine Aurelii & Aurelliani hodie Orleans urbs ad Ligerim, Carnutum vadicassium. Augusta Suessionum ville de Soissons urbs Galliæ Belgicæ. Lutetia Metropolis Parisiorum & totius Galliæ hodie Paris. Vide Gregor. Turonens. lib. 3. c. 4.

22. But it was not long, e'er his thoughts were diverted upon another Subject, by the advice and procurement of his Mother. The Murther of her Parents, still ran in her mind, she had often in vain desired their Deaths might be revenged; but now she thought Providence had decreed it, giving her so many Sons, of whom, though one or two might perish in the Attempt; yet she concluded the thing would be accomplished amongst them. To persuade them, she used powerfull Rhetorick, such as suited the Passions both of a Daughter and a Mother, to which she added, as she thought as powerfull Reasons, drawn from the same principles of Ambition, and Cruelty which she affirmed, would produce the same Effects towards the Grand-Children, and so much worse by how much the Baits and Allurements of so great Territories as they now possessed, were greater than those of their Ancestours, overcome (it's probable) rather with hopes of bettering their Condition, than of preventing the mischief by her objected, they levied Forces and with their joynt Powers resolved upon an Invasion of *Burgundy*. Before this time *Gundebald* was Dead, and *Sigismond* his Son had succeeded him, whose first Wife was the Daughter of *Theodorich* King of *Italy*, and by her he had a Son called *Sygirius*; but after her Death married another, it seems some waiting Woman, which as the Custome of Step-mothers is, very much hated, and maligned the Youth. He was sufficiently sensible of it, and so imprudent, that on a Festival day he upbraided her for wearing his Mothers clothes, which drove her into such a Rage, that she never ceased to inflame his Father against him, telling him of strange Designs he had to usurp and joyn the Dominions of his Ancestours, to the *Italian* Kingdom

Gundebaldus 4°. Calend. April. Anno Regni 20. Lugduni Abieno Consule, leges ab se editas tulit, quæ extant, extrum & Gregorius meminit.

Sect. 3. of *Theodorich* his Grandfather. *Sigismund* at length overcome with her Importunities, caused the poor young Man as he slept to be strangled; and presently after though too late repenting, went and spent his time in a Monastery, bitterly lamenting his cruel Jealousie and Paricide, which was shortly after revenged upon him, as our Authours observe.

23. For the Sons of *Chrotildis* in obedience to her Commands, invade *Burgundy* with a great Army. He made as great Preparations for resistence, as time would give him leave, and Courageously opposed himself against the Invaders, but in Battel had the worst. His Brother *Godomir* escaped, but he himself was taken together with his Wife and Children by King *Clodomir*, and committed to close Prison at *Aurelia*, or *Orleans*, where while he remains, *Godomir* gathers together his dispersed Forces, raises new ones, wherewith joyning a fresh Army, he renews the War. Hereupon *Clodomir* being obliged to buckle himself to Action, would not be persuaded to spare *Sigismund*, because he should leave an Enemy at his back, but, though some Church-men foretold that in Case he slew him, he should miscarry in his Attempt, and receive the very same measure, put him to Death together with his Wife and Children. Then the following Spring did he invade *Burgundy*, and as soon as *Godomir* appeared in the Field, he put his Army to flight, but giving the Chace, the heat of his Bloud, and desire of Glory so transported him, that he came up with the middle Ranks of the *Burgundians* before he was aware, and being known by them was incompassed, and when he refused to yield to quarter, was immediately slain. His Head was set upon a Spear, by so sad a Spectacle to terrifie and dis-hearten his followers; but they were thereby stirred up to greater Animosity, and moved to revenge his Death, which they did to purpose, pursuing them so far that they utterly defeated them, and then returned home with the News of *Clodomir's* death. *Clotharius* his Brother married *Gundeaca* his Wife, and with her his Kingdom. *Chrotildis* his Mother, as soon as Grief would give her leave, sent for his three Sons, *Theodonald*, *Gunthar* and *Clodonald*, and with all Care imaginable brought them up.

Burgundy invaded.

Gregor. Turon. lib. 3. c. 6. Aimoinus de Gestis Francorum, lib. 2. c. 4.

King *Clodomir* slain.

24. All this while, *Theodorich* his mind was fixed upon *Herminfredus* Prince of the *Thoringi*, whose shuffling and refusal to allow him his share in the Booty, they had unjustly got, so overpowered his thoughts, that these Wars were scarcely able to give him any diversion. He persuaded his Brother *Chlotharius* to joyn with him, promising him a share of the Prey, and by a set Speech to the principal of the *Franks*, wherein he painted out the cruel usage of the *Thuringians* toward their Ancestours, he prevailed with them to undertake the expedition, and that with much alacrity. Accompanied with *Chlotharius* his Brother, and *Theodobert* his Son, he invaded their Countrey; where as he was to pass, they had digged Pits and covered them over with Earth, and the device took at the first, a small number of Men and Horses falling into those Snares; but the thing being once discovered, the *Franks* were so cautious in their March, that none of these Wiles would farther succeed, and coming once to ingage their Enemies, they overthrew them with so great slaughter, that the River *Onestrudis*, is said to have been so filled with dead Bodies, that they passed over upon them, as on a firm Bridge. *Herminefredus* with much adoe escaped, and secured himself in a Fort, whither after his retreat, *Theodorich* sent to him, and with great Promises and Obtestations persuaded him to come to him to *Tulbiacum*, where as they once walked together upon the Wall, he fell down and died of the bruise. *Gregory* professes he knew not how he fell, although many affirmed, that *Theodorich* was the cause of his Death, *Aimoinus* writes expresly, that he took his opportunity, as they walked and discoursed together, and threw him down Headlong; and this no whit Contradicts the probability of the Fact, that he being Dead, he procured all his Children to be strangled. This done, all the Countrey he subdued under the Dominion of the *Franks*, who as *Aimoinus* observes, had formerly inhabited the Territories of *Thuringia*.

They make War upon the *Thuringi*.

Thuringia Regio est Germaniæ cis Albim flumen priscum hodie nomen retinens.

And subdue them.

25. That *Theodorich* his Conscience was not so tender, but it could sufficiently digest such a Murther as this, farther appears, from what he attempted against his Brother *Chlotharius*, while they yet remained in *Thuringia*. Having a design to make him away, he sent for him to consult about some pretended business, and behind the Hangings, in a Room where they were to sit, placed some armed Men, who being in good time discovered by *Chlotharius*, he refused to consult without his followers at his back; so that *Theodorich*, seeing his design was brought to light, fell off, excusing himself, in which Art he was very expert, and presented him with a Silver Dish, which afterward repenting he had been so bountifull, he sent his own Son *Theodobert* to beg of him. *Chlotharius* returned the Dish, and retires home, having

Difference amongst the Kings themselves.

ving married *Radegund* the Daughter of *Bertharius*, late Prince of the *Thoringi*. But still the Invasion of this Countrey, gave occasion to farther mischief. A report was spread amongst the *Arverni*, that *Theodorich* was slain; whereupon *Archadius* one of the Senatours, sent to *Paris* to *Childebert*, and invited him to come and take possession of his Brother's Kingdom. He came with all speed, and by the means of *Archadius* got into the City; but upon the Rumour that his Brother was alive, and returned out of *Thoringia*, he secured the place, and retired with intention to make a Journey into *Spain*, in behalf of their Sister *Chrothildis*. This Lady had been at the importunate suite of *Amalricus* King of the *Goths* in that Countrey, by her Brothers given him in Marriage; but was not treated in any Fashion becoming her Birth, or Quality, on the contrary handled like a Slave, affronted upon all occasions, and Contumeliously used, upon the Account of her Religion especially. For her Husband moved with his *Arian* Zeal, as well as the violence of his own Dispositions, caused Excrements and filth to be cast in her way, as she went to the Orthodox Church, and beat her so cruelly, that the Bloud trickling out of her Body, he therewith dyed an Handkerchief; and as *Gregory* reports, sent it to her Brother. *Aimoinus* tells us, that tired with those Indignities and cruel Usages; she wrote Letters to her Brothers, which came to the hands of *Childebert*, as he lay in the City of the *Arverni*, which he had by Force wrested from the Dominion of *Theodorich*.

Sect. 3. *Arverni les Auvergnats le Peuple de Auvergne, gens inter Celtigas olim potentissima.*

Childebert invades *Spain*.

26. *Childebert* exceedingly provoked by these Letters, and being a Man expert in whatever concerned War, with all speed marched into *Spain*, hoping to surprize *Amalricus*. But he found him not unprovided, either by Sea or Land, and by Land it was agreed, that the Controversie should be decided. There wanted no Courage on either side, but the *Franks* had the advantage in their Horse, which being too strong for the *Goths*, bore down all before them, and after great Execution utterly routed them. *Amalricus* flying for his Life, made toward a Church of the Orthodox Christians, but before he could enter was overtaken, and slain by a Trooper of the *Franks*. *Childebert* hearing he was Dead pursued, his Victory, with the Terrour whereof the Citizens of *Toletum* being struck, he easily took the place, in which finding his Sister, and exceeding great Treasure, with them he returned into *France*; where e'er they arrived, *Chrothildis* died in the way, and being brought to *Paris*, was there buried by her Brother. But while *Childebert* invades the Dominions of another, he looses what he had lately made his own at home. For *Theodorich* disdaining to loose his Towns, on which the other upon the Rumour of his death, had so confidently seized, thought not himself obliged to the manners of staying for his return, but with all speed attempted the recovery of his own Inheritance. Entring the Countrey to punish the Inhabitants for their easiness, in submitting to an Usurper, he wastes all with Fire and Sword. *Archadius* who had betrayed the City, fled to the *Bituriges*, but *Placidina* his Mother, and *Alchima* his Sister were taken and confined to *Cadurcum*. There was one *Munderick*, who affirming himself the Kings Kinsman, Challenged the Sovereignty as his due, and prevailed with many of the ordinary sort, to own him for their lawfull Prince. Refusing to repair to *Theodorich*, as knowing sufficiently for what purpose he was sent for, he secured himself in a Castle called *Victoriacum*; he and all his followers resolving to die rather, than to put themselves into the hands of their Treacherous Enemies. Yet when all other attempts failed, by reason of the strength of the place, and valour of the Defendants, *Theodorich* procured *Aregisilus* to Trepan him, who took an Oath (his hands touching the Sacred Altar) that he should receive no harm. When he brought him forth, upon a Watch-word given, the Souldiers were to fall upon him, which *Mundericus* perceiving upbraided *Aregisilus*, with his perfidious dealing, and vowing that he should not reap any benefit by his Treachery, presently ran him thorough with his Lance. Then the Souldiers coming on, he so laid about him, that he killed many upon the place, and sold his Life at so dear a rate as could be imagined. Being thus made away, his whole Estate was seized by *Theodorich*.

Biturices vulgo Berry. Cadurci, People de Querci quorum Metropolis fuit Duenna.

A War against the Burgundians.

27. *Theodorich* being thus employed, *Childebert* returns, and whether induced by their own Inclinations or the mediation of Friends the two Brothers make a Peace, giving Hostages on both sides, who within a while were all sold for Slaves, the League being of no long continuance. But while they were friends *Chlotharius* and *Childebert* resolved to make another expedition into *Burgundy*, and if possible to perfect the Conquest of that Countrey. They invited *Theodorich* to joyn with them, but he having Married the Daughter of *Sigismund* plainly refused, neither

would

Sect. 3. would he permit any of the *Arverni* to serve in the War. Yet did they manage their matters with that dexterity, that they took *Augustodunum*, and driving *Godomir* quite away, made themselves Masters of all *Burgundy*. Thus *Gregory* tells the story as done in the Life time of *Theodorich*, but *Cassiodorus* who lived at this very time, and had more reason to understand how matters went than he, relates other passages antecedaneous, which he omits, and speaks of the Death of *Theodorich* before the Conquest of that Countrey. From his Letters to the Senate and People of *Rome*, it appears that *Athalarick*, who by this time had succeeded his Grandfather *Theodorich* in *Italy*, sent a great Army against the *Franks*, that *Theodorich* Brother of *Clodomir* and King of the *Franks* Died, during the stay of the *Goths* in *Burgundy*, and the *Franks* declining a Battel, the *Burgundian* betaking himself to the Patronage of the *Goths*, * recovered by intreaty what he had formerly lost in Fight. However not long after, *Godomir* or *Gundemar* as some call him, for all his *Gothick* Alliance, was by *Childebert*, *Clotharius*, and *Theodebert* their Brother's Son beaten quite out of his Kingdom, spoiled of all Power and Dominion, and driven into Exile.

Augustodunum Bibratte Cal. alias Augusta. Julia Æduorum, & Flavia, & Florentia, & Pavlia, Inde Autun. Metropolis Æduorum ad ima cl. In Crucifixi & ad Aram fluctuat in Gallia Celtica. Var. lib. 11. Sed quamvis superba Natio declinaverit Conflictum, vitare tamen privati Regis negotium: Nam Theodericus ille diu patens nomine gloriatus in triumphum principum nostrorum languoris patitur pugna superatus occubuit.

The Fate of King *Theodorich* Dict.

* *Recuperavit enim prece quod amisit in arte.*

28. So that here the Kingdom of the *Burgundians* receiveth its period, who being a People of *Germany* and living beyond the *Rhine*, had first under *Honorius* the Emperour Ground allowed them to inhabit in those parts of *Gall* lying neareft to that River. After the Overthrow received from *Ætius* under *Valentinian* the third, *Sapandia* was given to such as remained of them, which they parted with the Natives and there planting themselves, quickly began to spread through the Neighbouring Territories, and by degrees made themselves Masters of that part of *Gall* called *Lugdunensis prima*, *Maxima Sequanorum*, *Viennensis*, the *Alpes Graiæ* and *Penninæ* with the Province lying on this side *Druentia* now called *Durance*. These Kings of theirs are mentioned in our Books: *Gundicanus* who assisted *Jovinus* the Tyrant in assuming the Purple, and being overthrown by *Ætius* the *Roman* General obtained Peace. *Gunderick* and *Chilperick* his Sons assisted *Theodorich* the second King of the *Goths*, against *Reciarius* King of the *Suevi* in *Gallæcia*. *Chilperick* had his Seat at *Genona* (now *Geneva*) upon the lake *Lemanus*. The Sons of *Gunderick*, *viz.* *Gundebald* (or *Gundebad*) *Godegisil*, *Chilperick* and *Godomar* divided the Kingdom amongst them. *Gundebald* by degrees having made them all away, Reigned alone as we have lately seen, and by *Chilperick* his Brother had two Nieces: *Chrona* made a Nun, and *Chrotildis* whose Children fully revenged upon his the Death of their Grandfather. For *Sigismund* his Son was taken and Slain by *Clodomir*, who also defeated his Brother *Godomar* though he was Slain in the pursuit, and could not perfect the Conquest. But this was done for him by *Childebert* and *Clotharius* about the sixth year of *Justinian* the Emperour, and the seventh of *Athalarick* King of *Italy*, *A. D.* 532. Thus much we thought to add in a summary way concerning the ancient Kingdom of *Burgundy*, both that the Reader's memory might be helped as to the Succession of the Kings, and that by the Territories which this day go under that Name, he might not be mistaken concerning the true extent of the Countrey.

The Scats,

And Kings of the *Burgundians*.

29. To return to our *Franks*, *Childebert* and *Chlotharius* the two Brothers having got possession of the fair Territories of the *Burgundians* were not therewith satisfied, but this Morsel rather whetted their Appetites, and fitted them for swallowing a greater bit, *viz.* The Patrimony of their own Nephews. The three Sons of *Clodomir* were all this while Educated under the tender Eye of their Grandmother at *Paris*, which *Childebert* grudged to see, and fearing that by her means they might become more Potent than he thought would well consist with his own Interest; he sent to *Clotharius* his Brother who having Married their Mother, and with her having got Possession of their Inheritance, he doubted not would be most ready to listen to his Advice, to meet him speedily at *Paris* there to consult, whether they had better shave the Boyes, and cause them to enter into Orders, or rid them of their Lives, and themselves of all occasion of fear and jealousie at the same instant. *Chlotharius* needed no Wings to make him flie to *Paris*, where when arrived, there needed as little Consultation, but calling for that *Archadius*, who by his Treachery had ingratiated himself with *Childebert*; they sent him to their Mother with a pair of Scissers and a naked Sword, bidding her make choice of one of the two, to cut out and determine the Fortune of her Grandchildren. She falls into a great Rage, and in her fury lets fall this Expression, that she had rather see them Dead than shaven, if so the case flood that they must not Reign. *Archadius* takes her at her word, and returning speedily to those that sent him, tells them that the Queen complied fully with their desires. They hereupon haste thither where the Children Lie,

Lie, and *Chlotarius* taking the Eldest Boy throws him on the Ground, then runs his Sword into his Body under the Arme, and so dispatches him. He that was next to him in Age affrighted with his cries and lamentations, casts himself at the Feet of his Uncle *Childebert*, and calling him Father, useth all the Rhetorick which in so great an Agony his Childlike Abilities could afford to save his Life. *Childebert* was moved with the Anguish he saw him in, and with tears in his Eyes besought his Brother to spare him, offering him anything he would ask in return for so great a kindness. But barbarous and furious *Chlotarius* in great heat upbraids him with his Inconstancy, that having given Original to this Enterprise, he now deserted the cause, and vowed that if he would not put the Boy from him, he should die in his stead, which made his Courage fail him, and he deserting the Child, *Chlotarius* seized on him, and Murthered him in the same manner he had done his Brother.

Two of *Clodomir's* Sons murthered by their Uncles.

Sect. 3.

30. So perished two of the Sons of *Cleodomir*, whereof the Eldest was but ten years old, and his younger Brother exceeded not seven, which feat accomplished, their good Uncles sent after their Attendants to wait on them in the other World, as had been anciently the custome of Princes. But part of their Pray they missed; for, while they were busie with those two, the third, *Clodoaldus* by name, possibly being in some other Apartment was conveyed away by his Servants, and rejecting all hopes of an earthly Kingdom shaved himself, entred into Orders, and being afterward made Priest, lived and died with great Reputation for Sanctity, at *Novigentum* a Town distant but four miles from *Paris*, which from him received a new Name, and at this day is called St. *Clou*, after the manner of the Abbrevations of the Modern *French*, at present the Retirement of the Duke of *Orleance* and the Princess *Henrietta* of *England* his Lady. In all this affair we hear nothing of *Theodorich*, which makes us more confident he was Dead before this, whatever some of our Historians write to the contrary. *Theodobert* his Son succeeded him in his Kingdom of *Metz* or *Austrasia*, having Married *Wisegarda* the Daughter of *Waco* King of the *Lombards*, over whose Head he afterward brought another Wife upon this occasion. The *Goths* having after the Death of *Clodonæus* recovered much in *Gall* that he had taken from them, *Theodorich* sent this his Son *Theodobert*, and *Chlotharius* also *Guntharius* his eldest Son to recover those Territories out of their Hands. *Gunthar* went as far as the *Ruteni*, and then, for what cause no body knows, returned. *Theodobert* proceeded as far as the *Biturices* or *Bearne*, where he took the Castle *Deas*, and coming before another Town called *Capraria*, one *Deuteria* presented her self to him to mitigate his displeasure against the Inhabitants, and she so demeaned her self, that he fell in love and afterward Married her, though he had another Wife, and she an Husband yet living in another place.

The third turns Monk.

Ruteni Roi ergo nois Populus Gallia Celtica quorum Metropolis Segodunum hodie Rodes.

31. Yet do our Historians speak much in Commendation of *Theodobert*. His Father having Murthered *Syginald* his Kinsman, sent and Commanded him to deal in the same manner with *Gynald* his Son, but he shewing him his Father's Letters, he sent him out of the way, and when he came to be King restored him his Patrimony. His Father Dying after he had Reigned above two and twenty years, *Childebert* and *Chlotharius* his Uncles did all that lay in them to deprive him of his Life and Inheritance, and might have done much if he had not had timely notice of his Father's sickness, and got to the place before he expired. Being stoutly defended and secured in his Throne by those of his Subjects, living about *Leodium* or *Leige*, his Uncle *Childebert* who was the better of the two, and perceived he could not prevail against him, invited him to his Court, made much of him, and presented him very richly at parting, putting him in hopes that he should succeed him being Childless. Now he was King, he carried himself as a Prince both Great and Good, Governing with Justice, respecting the Clergy, indowing Churches, relieving the Poor, and besides many other good deeds, remitting all the Tribute that was due to his Exchequer from the Churches of *Arvernum*. However *Deutheria* whom after his coming to be King he had Married, having a Daughter now Marriageable by her other Husband, was so jealous of him, that she caused her to be put into a Chariot that was drawn by untamed Heifers, and Drowned at *Virodunum* in the River *Mosa*. This coming to the knowledge of *Theodobert* to gratifie his Displeasure, as well as the earnest desires of the People, he put away *Deutheria* though he had by her a young Son called *Theoduald*, and took to him *Wisegarda* whom he had Married seven years before. She Dying not long after, he Married another, but would not have to doe with *Deutheria* any more.

Theodebert Son of *Theodorich* like to be ruined by his Uncles.

Virodunum hoc in loco non est Virodunum Æduorum Virdun sur Saonne, sed Virodunum Mediomatricum, seu Virdun en Lorreine assidens fluvio Mosæ hodie Mense.

32. *Childe-*

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More differences among the *French* Kings.

32. *Childebert* and *Theodobert* his Nephew were now very gratious. Notwithstanding the Clemency that's ascribed to the one, and Goodness to the other; yet considering the temper and custome of their Family, a wonder it were if this friendship and alliance did not tend to the Destruction of some of their nearest Relations, to the shedding of some of their own bloud. They now lay their Heads together, and consult how to out *Chlotharius* of his Kingdom, raise Forces with such speed, and march against him with such expedition, that being surprised, he was not in case to take the Field, but rather concealed himself in a Village about *Orleance*, where yet they discovered him, and were about to finish their Work, when miraculously they were prevented. *Chrotildis* hearing that of her two Sons that remained, the one was about to sheath his Sword in the Bowels of the other, and calling to mind how since the time she had first set them on work of killing their Relations, her Children had neither spared Uncles nor Nephews, nor any others whatsoever, but like Savage Beasts, the more bloud they tasted, the more they thirsted after it, she exceedingly afflicted her self, and going to the Tomb of St. *Martin*, poured out her tears and Prayers to Almighty God, deprecated his displeasure, and implored his help in this time of extremity, to take up the quarrel betwixt her two Sons e'er it should proceed to farther mischief. And according to her request, to prevent what she most feared, on a sudden such Storms and Tempests of Hail and Thunder arose, that overthrew all their Tents, broke the order of their Armies, and beat to the Ground the two Aggressours, who prostrate on their Faces, asked pardon for what they had done, and sent to *Chlotarius* to desire all past might be forgotten, and a firm League of Amity and Alliance might be Concluded. He at whose Quarters not the least disturbance of Weather had happened, readily granted their request, and so through the Prayers of their Devout Mother as our Authours observe, all matters were composed.

An expedition into *Spain*.

33. *Childebert* being now at leisure, began to think of his expedition he had made into *Spain*, and how he had taken the City *Toledo*. He thought he had not done enough to revenge the injuries offered to his Sister, but especially desired to become Master of that Countrey, of which at that time he had but had a prospect. He easily perswaded his Brother *Chlotharius* who bore a mind as restless and ambitious as himself to joyn with him, and together they march as far as *Cæsaraugusta*, (now *Saragossa*,) which refusing to open to them they closely besiege. Such was the condition of the Town, that the Defendants perceived they had nothing to trust to but their Prayers, and made their solemn Processions about the Walls, which the *Franks* seeing at a distance, imagined they were about some magical Charms and Incantations, and apprehending a Countreyman, demanded of him what might be the meaning of such a shew. He answered, that they Prayed to Almighty God for the preservation of their City, which the Kings understanding, desired some Reliques of St. *Vincent* the Martyr, formerly a Priest of the place might be sent them, and raising their Siege departed into other Quarters of *Spain*, which having subdued and wasted they returned home with very great Booty. So lame is the account we have concerning this expedition from *Gregory* of *Tours*, and such as follow him, and as herein they are deficient, so they totally omit another affair, the knowledge whereof is more necessary to the understanding of the State of this Nation. At this time *Belisarius* as we have in its place shewn at large, was about to make War against the *Goths* in *Italy*, who being sore pressed with the difficulties that impended, *Theodatus* their King sent and made an Alliance with the *Franks* on these terms, that to them should be resigned all that part of *Gall* which the *Goths* had hitherto possessed with twenty thousand *Aurei*, on condition that with the *Goths* they would joyntly manage the War against *Belisarius*.

Provence delivered to them by the *Goths*.

34. But e'er this accord could be perfected *Theodatus* Dies, and *Vitigis* succeeds him, who perceiving plainly that he could not call that Army which lay in *Provence*, under the Command of *Martius*, to his assistence, but the Countrey must be exposed to the Inrodes of the *Franks*, caused it to be delivered up into their hands, with so much money as *Theodatus* had promised to procure their friendship, (for they were ever most averse to the *Goths*,) and their assistence against the Emperour *Justinian*. *Childebert*, *Chlotharius* and *Theodobert* having received the money and Territories, and divided them amongst them, imbraced the Amity of the *Goths*, and promised them succours, but professed they could not send them any of their own Nation, because they had entred lately into friendship with the *Greeks*, and promised assistence to *Justinian* in this War. But thus became the *Franks* Masters of *Provence*, and that with consent of *Justinian* the Emperour, who confirmed at their desire what the *Goths* had granted, as *Zonaras* observes out of *Procopius*. Now did they

Tom. 3. *Anal.*

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they possess the famous Colonies of the *Phocians* at *Massilia*, at *Aquæ Sextiæ*, and of the *Romans* at *Arelatum*, and as *Procopius* testifies, began to stamp Gold Coins, not with the Image of the Emperour, as the custome was, but with the Effigies of their own Kings; whereas to the *Persian* King himself it was not lawfull, nor to any other Barbarian to Coin Gold money, though that of Silver was permitted them. Afterwards the War growing hot in *Italy*, *Theodobert* that he might seem mindfull of his word, sent ten thousand Foot to the assistence of the *Goths*, but these were not *Franks* but *Burgundians*, who were Commanded to say, that they came without any Orders received from him, for fear of disobliging the Emperour. When the War was grown out in length, and both *Goths* and *Romans* were wasted and spent, our *Franks* conceived it easie to get a good share of *Italy*, and repined to sit idle at home and be lookers on, while others disputed a province so near adjoyning. Forgetting then their late Oaths and accords both with *Romans* and *Goths*, (for this Nation of all others is most faithless, saith *Procopius*,) with an Army of fifty thousand men under Conduct of *Theodobert*, they invaded *Italy*.

They invade *Italy*.

35. Amongst them there were some few Lanciers to guard their King. The rest were Footmen without either Bows or Lances, wearing a Sword, a Shield, and a Battle-Axe, the Iron whereof was broad and sharp on both sides, and the Handle very short, and this upon a signal at the first Charge, they were wont to cast from them to break the Enemies Shields and kill their men. How they deceived both *Goths* and *Romans* we have shewed in a more proper place, as also how passing the *Poe*, they sacrificed such Women and Children as they found, and cast them into the River, as the first spoils of War, retaining yet (as *Procopius* affirms,) though Christians much of their old superstition, and using Sacrifices and other impious Rites in making their predictions. We need here put the Reader in mind how they were straitned for Provisions, and how *Theodobert* being seriously admonished by *Belisarius* to consider what he was about, resolved it was best for him to quit *Italy*, and so returned home, for which relations we are beholding to *Procopius*; *Gregory* of *Tours* saying little to the purpose of these matters, and telling an idle story of the Daughter of *Theodorich* King of *Italy*, begotten on the Sister of *Clodomæus*, as that she Married a Slave, and for that being prosecuted with War by her Mother, she poisoned the old Woman in the Chalice, for which being deposed by the *Goths*, they chose *Theodatus* King of *Tuscia* for their Prince, who put her to Death for her unnatural cruelty towards her Mother. This you must know the Kings of the *Franks* took most heinously, and sent to *Theodatus* vowing to be revenged on him for the Death of their Kinswoman, except he would compound the matter. He sent them fifty thousand *Aurei* to be friends, which *Childebert* and his Nephew *Theodobert* parted betwixt them, *Childebert* ever bearing evil will to *Chlotharius*, who was yet even with them, having got into his hands all the Treasure of their Brother *Cleodomir*. Notwithstanding the receit of this money, yet *Theodobert* invaded *Italy*, and being straitned for Provisions, returned home with very great Spoil.

36. To let pass this fable of *Gregory*, and apply our selves to the Narrations of *Procopius*, who was an eye-witness of most of these Transactions, we are told farther by him that the affairs of the *Goths* being well-nigh sunk, and *Belisarius* lying before *Ravenna*, *Theodobert* thought to make an advantage of their Necessities, and sent to *Vitigis* their King, offering that if he would divide *Italy* with the *Franks*, he would bring such an Army into it, as should easily drive thence *Belisarius* with his *Greeks*. The noise of this Embassy coming to *Belisarius* his Ears, he sends his Messengers to *Vitigis*, who convinced him and his *Goths* that it was their interest rather to make an accord with the Emperour, than those perfidious *Franks*, and a resolution they took accordingly, sending away the Ambassadours with a flat denial. Yet for all their good thoughts of the Emperour's Alliance, was *Vitigis* within a little time despoiled of all Dignity, and carried Prisoner to *Constantinople*, and *Totilas* was chosen King in his stead. He having taken and defaced *Rome*, sent to *Theodobert* for his Daughter in Marriage, and received answer that he could not be esteemed King of *Italy*, nor ever would be, having taken *Rome* but not able to keep it, having demolished part, and quitted the rest to his Enemies. This caused him to cast away all thoughts of demolishing any more of that City. He supplied it with Provisions, commanded to be re-edified what was beaten down at his first taking of it, sent for the Senatours and others home that were confined in *Campania*, and held the Solemnity of the *Circensian Games*. Of such Reputation and Authority at this time was *Theodobert*.

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37. As he was of great Reputation, he was sufficiently sensible thereof, and as of his own Disposition he was bold and active; he now began to entertain greater Conceits and Imaginations in his Head than formerly. While *Narses* was buried in *Italy*, and the Emperour's Forces employed against the *Goths*, he thought of no less than invading *Thrace*, which having Conquered and wasted he designed to lay Siege to *Constantinople* it self. He levied great Forces, and that nothing might be wanting to so great a design, he sent to the *Gepidæ*, *Lombards* and other bordering Nations to make them sensible of the danger they were in, and to shew how intolerable a thing it was, that *Justinian* in his Imperial Edicts should call himself *Francicus*, *Alemanicus*, as also *Gepidicus* and *Longobardicus*, besides other Titles, as if he had indeed Conquered all those Nations. And indeed to speak the truth, as well in behalf of *Theodobert* as others, that *Justinian* took the several Titles of *Alemanicus*, *Gothicus*, *Francicus*, *Vandalicus* and *Africanus*, is evident out of his Edicts. But as for some of them he might justly doe it. The *Goths* he subdued having taken *Vitigis* the King, and made great slaughter of that Nation by his two Generals *Belisarius* and *Narses*; the *Vandals* also he had in a manner quite destroyed in *Africk*, which might confer also upon him the Sirname of *Africanus*. But to the Title of *Francicus*, if we may so say, he had no Title at all, having no where given them any except we call that an overthrow, when *Narses* defeated the *Alemans*, their Clients or Dependants, which was after the Death of *Theodobert*. Of this affront (for no less he accounted it,) he was highly sensible, and though, as *Agathias* judgeth, in all probability he had perished in the attempt, yet left he no Stone unturned to punish *Justinian* for his Arrogance, and had certainly undertaken the expedition, had not Death put an end to him and his designs altogether. But concerning the manner of his Death, there are several relations. *Gregory* writes as if he died of a Consumption, or some other lingring Disease, and that his Physicians made many applications to no purpose. *Agathias* tells us this story, that Hunting on a time in the Woods, a fierce Bull ran with all his force against a Tree, which pushing down, one of the Boughs thereof light upon *Theodobert*, and so wounded him in his Head that he died the very same day of the hurt. In the fourteenth year of his Reign as *Gregory* reckons, or rather his fourteenth being completed, thirty seven years after the Death of his Grandfather *Chlodonæus*, the twentieth of *Justinian* the Emperour, and the fifth of *Totilas* King of *Italy*, *A. D.* 546.

Agathias, lib. 1. ad init.

Thrace wasted and a quarrel with the Emperour.

Theodobert dies.

Lib. 3. ad calcem.

38. To *Theodobert* succeeded *Theodobald* his Son, a Child, and under the Government of his Schoolmaster. After the Death of *Totilas* in *Italy* succeeded *Teias*, who being utterly overthrown, the *Goths* that remained were forced to submit to the Yoke, but presently growing weary of it they sent to *Theodobald*, desiring him to consider their Condition, and how the Tyrant of the world prospering in this his course of destroying Nations, their turn could not be far off, but the old Enmities and Wars would be renewed, such as the *Marii*, *Camilli* and the *Cæsars* had made against the ancient *Germans*, who had also possessed themselves of all beyond the *Rhine*, so that just persons their successours would seem to demand nothing but what was their own. *Theodobald* being utterly unexpert in all things that concerned War, and hating business and labour, was averse to their Proposals, alledging rightly that it was neither Policy nor Piety by such a rash and needless adventure, to cast themselves into manifest Danger. But *Leutharis* and *Butilinus* notwithstanding the inclinations of their King, entred into a League and promised the Ambassadours aid. These were Brothers, *Alemans* by Nation, but of so great authority amongst the *Franks*, that they Governed their Compatriots, being first owned and preferred by *Theodobert*. Now if we give credit to *Asinius Quadratus*, (saith *Agathias*) an *Italian* born, but one that wrote most accurately the affairs of *Germany*, these *Alemans* are a strange and mixt People, which their name sufficiently testifies. *Theodorich* King of the *Goths* having now made himself Master of *Italy*, had subdued them and made them Tributaries. As soon as he was Dead, and the War broke out betwixt *Justinian* and the *Goths*, the *Goths* flattering the *Franks*, and by all means endeavouring to gain their favour, both lost several other places, and were forc't to quit the Nation of the *Alemans*; for being to fight not so much for their Dominion as their being it self, they conceived themselves bound to relinquish all their distant and supernumerary Subjects, and square and limit their affections by the Rules of Necessity. The *Alemans* being thus quitted by the *Goths*, *Theodobert* thought it as much his interest to gain them, and so bringing them under, left the Dominion over them and his other Subjects to his Son *Theodobald*. They began now, especially the wiser sort, to be civilized, and in their civil Government conformed themselves much to that of the *Franks*. As to Religion they differed, bestowing on

Theodobald his Son succeeds.

Vbi supra.

The *Alemans* submit themselves to the *French*.

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on Trees, Rivers, Hills and Groves Divine Honours, by cutting off the Heads of Horses and other Creatures, and Sacrificing them to these dumb deities.

39. *Leutharis* then, and *Butilinus*, as we have formerly shewn, with confidence enough invaded *Italy*, and had such success as was answerable to their rashness and Indiscretion. Before this, *Justinian*, while *Totilas* yet lived, had sent his Ambassadour to *Theodebald* to desire he would joyn with him against the *Goths*, the ancient Enemies of his Nation, but received this answer, that with the *Goths* an alliance was already made, and that if any thing he retained in *Italy*, it was by consent of *Totilas* and the free surrender of that People; for the Reader must call to mind what we have already hinted, that *Theodebert* had moreover made tributary to him the *Cottian Alpes* with those toward the Sea, and *Liguria* and the maritime Coasts of *Venetia*, without any Right or Title, as the Emperour alledged. With this answer he dismissed the Ambassadour, *Leonatius*, a man born of a consular House, and sent *Leudardus* unto *Cæsar* under the same Character; and not long after the defeat of *Leutharis* and *Butilinus*, died without issue in the seventh year of his Reign. Some tell us that by his Testament he left his Great Uncle *Chlotharius* his Heir. But *Agathias*, having told his Reader that he died miserably of a Disease which from his very Birth had hung upon him, adds that whereas the Law of his Countrey called *Childebert* and *Chlotharius* his two Uncles to the Succession, a most grievous contention arose about it, which had like to have destroyed the whole Family. *Childebert* was both grown old and very Diseased, so that he appeared a mere Sceleton, and he had no Male Issue, onely Daughters. *Chlotharius* was not very old and had four Sons, all full of Spirit and Vigour. He objected therefore that the Estate of *Theodebald* was not to go to his Brother, whose Kingdom in a short time would fall to him and his Sons. Neither did his hopes deceive him, for within a while the old man of his own accord gave up his Inheritance to him, fearing its credible the power of the man, and desirous not to have any quarrels with him. And not long after he himself Died, and so the Monarchy of the *Franks* was devolved upon *Chlotharius*. *Gregory* writes that *Childebert* died of a lingring Disease at *Paris*, where he was buried in the Church of St. *Vincent*, which he himself had built. And that *Chlotharius* seized on his Kingdom and Treasures, driving his two Daughters into Exile, whereof the name of one was *Crothberga*, and the other *Crothsinda*, as appears from *Aimoinus*. *Childebert* died in the forty ninth year of his Reign, the one and thirtieth of *Justinian*, *A. D.* 557.

Theodebald dies.

Fastus in vita Mauri apud Papirium Massonum, lib. 1.

Agathias, lib. 2.

Childebert dies.

40. Thus remained *Chlotharius* Monarch of the *Franks*, and Lord of all *Gall*, which had not happened to any of that Nation before him, and shews us that the best things of this world are sometimes granted to the worst of Mortals. Yet was he not contented, but behaved himself in that manner, as if all was his due without acknowledgment of the power and interest of his Benefactour. *Chramnus* one of his Sons was ordained as a scourge against him, whom being a young man very stout and crafty, he had made Governour of *Aquitaine*. He bore himself higher than the quality of a Governour, or indeed that of a King would permit, acting all things like a Tyrant, and taking no other measures than from his own mere Lust and Pleasure. His Father being informed what courses he took, sent for him that he might give him better Counsel, but he instead of coming to his presence, goes to his Uncle *Childebert* at *Paris*, whom he incenses so far against his Father, that they enter into a League to deprive him both of Life and Kingdom. *Chramnus* hereupon goes back to *Aquitaine*, and in his passage endeavours to bring all places to submit to his Commands, his Father being now employed in a War with the *Saxons*, which hindred him from marching against him in Person, but he sent *Cherebert* and *Guntran* two others of his Sons to chastise their rebellious and unnatural Brother. They sent to him to restore what without any Right or Title he had seized, and to gain time he promised he would doe it, as some write, or as others, answered that he could not doe it, yet professed himself his Father's Subject and Vassal, and desired to keep what he had with his good leave and blessing. They no way satisfied with this answer prepared to fight, and then such an hideous tempest of Thunder and Lightning happened, as diverted them from their Intentions. *Chramnus* then betakes himself to craft. He causes a Rumour to be spread that his Father was slain in the War against the *Saxons*, to which his two Brothers giving credit hasted away into *Burgundy*. He followed them, and taking in his way *Cabillonum* proceeded as far as the Castle of *Divio*. In the mean time his Uncle *Childebert* believing also that his Brother was Dead, lead an Army to *Reims* and wasted the Countrey with Fire and Sword, which done, he Died of a Fever, saith *Aimoinus*, and was Buried at *Paris* by *German* the Bishop in the Church of St. *Vincent*, of which he himself had been the Founder.

To whom succeeded *Chlotharius* Monarch of the *Franks*, and Lord of all *Gall*.

Who makes war upon the *Saxons*.

Cabillonum (*hodie Chalon sur Saone*) *oppidum Æduorum Cabillonensium ut Divio Æduorum Diviodunensium in Gallia Celtica.*

Reims olim Durocatorum urbs Galliæ Belgicæ.

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41. *Chramnus* thus deprived of his Uncle's Assistence, betook himself to *Conabus* King of the *Britains* in *Aremorica*, where he presently renewed the War. His Father having made an end with the *Saxons*, concluded he was now by any means to be suppressed, and for that purpose marched himself in the Head of an Army into *Britain*, making his Prayers to Almighty God, that he would be Judge betwixt them, and as formerly to *David* over *Absalom*, so he would please to give to him the Victory over his unnatural Son. This Prayer he made, but not with that Fatherly tenderness which he did, whom he took for his Example. For it pleasing God to give him the Victory, instead of rejoycing for the safety and Preservation of his Son, as we may believe *David* would have done, by the great sorrow he underwent for his Death, he caused him with his Wife and Daughters, (his Labour for whose Preservation caused him to neglect taking ship, and so to be surprized) to be shut up in a poor Cottage, and therein to be burnt to Death. But if we can believe *Gregory*, he shewed abundance of good Nature in his Wars with the *Saxons* lately mentioned. They themselves gave the occasion, rebelling and denying the payment of their accustomed Tributes. But when he was come near their Countrey, they sent their Messengers to him and offered to pay the Arrears, and what he pleased more, so he would but withdraw his Army and leave them to their wonted repose and quiet. He thought it reasonable, and advised that they should not proceed farther against them, lest they sinned against God; but his Men alledged they were Lyars, and there was no trust to be given to what they said. Then did the *Saxons* offer the half of their Goods to purchase Peace, which the King willingly would have accepted, and used the same Argument as formerly to his Souldiers: But they would not therein Acquiesce. Then did the poor People offer their Clothes, their Cattel, and all other moveables they had, with half their Lands, so they might have their Wives and Children free, and Peace to live with them. The King then was very earnest with his Men foretelling their Ruine, if they would not rest satisfied with such unreasonable Proposals, and flatly refused to accompany them in the War. Hereupon they fell into a great Mutiny, and running with violence to his Tent tore it in pieces, and loaded him with reproachfull Words; affirming they would kill him, if he refused to go along with them. He was forced to go, but Battel being joyned after an innumerable Company slain on both sides, the *Franks* recovered a mighty overthrow. *Chlotharius* in great trouble then asked Peace, professing that he was drawn into the Action by Constraint. Which having obtained he returned home.

Invades *Britain*.

And surprizing his rebel Son burns him.

42. So is the story told by *Gregory* and *Aimoinus*, both favourers of the *Franks*, to the advantage of *Chlotharius*, which little suits with the constant Deportment of his whole Life. Twice he committed Paricide: First killing his Nephews, and afterward his own Son, with his innocent Wife and Daughters. Besides Whoredom and Polygamy; of Incest he was guilty, in marrying two Sisters, the one while the other lived, and he frequented her Bed. *Redegund* was his first Wife, who was descended of the Royal Bloud of *Thuringia*, as we said before, after her the Wife of his Brother *Clodomir*, and the Wife of his Nephew *Theodobert*. Besides these he married *Ingundis*, by whom he had five Sons. *Gunthar*, *Childerick*, *Charibert*, *Gunchramn*, *Sygilbert*, and *Chlotsinda* a Daughter. Then when this his Wife recommended her Sister *Aregundis* to him, to provide her a wealthy Husband; he himself fell in Love with her, and took her to Wife, and by her he had *Chilperick*; besides *Chramnus*, by another Woman called *Chunsena*. Having this load upon his Conscience, no wonder, if he was a little sensible thereof, especially when he knew he could not live much longer. He came, as *Gregory* tells us, to *Tours*, where at the Sepulchre of St. *Martin* he earnestly prayed, that his sins might be forgiven. Then went he and hunted in the Forest *Cotia*, where being seized with a Fever he returned to the Village called *Compendium*, where as he lay desperately sick, he uttered these words: *Woe is me, what think you? What kind of heavenly King is he, who kills so great Kings in this manner?* which expression *Papirius Massonus* so interprets, that being a despiser of God, and impious all his Life, he could not die otherwise, but with his last Breath accused him as grudging Life to mortal Men. Yet he died not till the one and fiftieth Year of his Reign: Or rather, that completed, and was buried by his four Sons at *Soissons*, in the Church dedicated to St. *Medard* of his own founding, in the thirty fourth Year of *Justinian*, the nineteenth after, the Consulship of *Bastilius*, *A. D.* 560.

His Character.

Compendium (hodie *Compeigne*) *oppidum vero Manduorum* (*Le Peuple de Vermandois*) *ad Confluentiam fluvirum Axonæ* (*Aisne*) *& Orsiæ* (*Oise*) *in Gallia Belgica.*

And Death.

43. For four Sons he left to succeed him and no more, *Gunthar*, *Chramn* and *Childerick* being dead before him. *Cherebert* Reigned at *Paris*, *Chilperick* at *Soissons*, *Guntramn* at *Orleance*, and *Sigebert* at *Metz*, over the *Mediomatrices*. But this division

The Kingdom divided among his four Sons.

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sion was not made before some Quarrelling betwixt the two Brothers, for *Chilperick* was before-hand with them, and seizing his Father's Treasures, which lay at *Paris*, therewith hired Souldiers, and began to usurp upon them all. But they timely gathered together, and forced him to quit his pretensions, and come to an equal division of the Kingdom by Lot, which fell out as we have observed. *Cherebert*, (or *Charibert*) married *Ingeberga* a very devout Woman; who having two Maids called, *Marconefa* and *Merofleda*, he fell so desperately in Love with them, that he rejected their Lady. For this *German*, the Bishop of the place, severely rebuked him, and as some say, excommunicated him, but he remained incorrigible, and therefore by the just Judgment of God both of them were speedily taken away, with a Son he had by one of them; and himself not long after dyed at a Castle called *Blavia* in *Aquaitaine*, and was buried in the Church of St. *Romain*. *Gregory* mentions another Wife he had, *Theodogildis* by Name, the Daughter of an Herdsman, as the other two were descended from a Cottage, who after his Death sent to his Brother *Gunthcramn*, offering her self to him in Marriage with all her Treasures. He seemed to comply with her offer, and receiving the Treasures thrust her into a Monastery at *Arles*, were tired quickly with the Austerities of that sort of Life, she sent privily to the *Gothick* King of *Spain*, making the same offer, she had done to *Gunthcramn*; but the Abbess surprized her as she was going out of the Monastery, and causing her to be soundly beaten committed her to close Custody, where in great Trouble, she spent all her Wearisome days. This is the Account we have from *Gregory* and *Aimoinus*, concerning *Cherebert* King of *Paris*, which shews him Guilty of one of his Father's vices, although otherwise, as appears from other Writers, he excelled in Virtue, both him and all his Predecessours. Amongst many other things worthy of Memory, he is celebrated for his kindness towards *Vultrogotha* the Wife, and his two Cousin Germans, the Daughters of *Childebert*, whom he very much esteemed, though not onely outed of their Inheritance, but banished by his Father. He is farther said to have hated War and Contention, and to have been a great lover of Peace, Justice and good Letters. For he was the first of those Kings that understood Latin, his Father, Grandfather all before him, having onely spoken the *Sicambrian Dialect*, as appears from *Venantius Fortunatus*. Being dead, his three Brothers seized on his Kingdom and divided it amongst them.

Cheribert dyes.

His Character.

His three Brothers succeed him.

Aimoinus Parisiis Gregorius vero Thesauros asservatos scribit in villa Brannaco. Aimoinus. l. 3. c. 2. Reginol. 1. Chronic. & Ino Camotens. in fine partis 5^t. Decretl.

Blavia (*hodie Blais*) *oppidum Santonum ad Sarumnæ maritimum Æstuarium Galliæ in Celtica.*

Lib. 6.

44. And as they made themselves the Heirs of his Kingdom, so of his vitious Course of Life, for all were Inheritours of their Father's intemperance; two of those that survived especially. *Gunthcramn* (or *Guntramn*) had four Sons by divers Concubines; the Names of which, we are of *Aimoinus* his mind, that it is not worth the while to mention, being such like as they were, and all dying with their Issue before him. Yet this vice excepted, he is otherwise reported to have been a very good Man, a Prince both very just and upright, and of him this very strange story is related. Being on a time hunting in the Woods, and his followers dispersed here and there, as the manner is, with one of his most trusty Servants, he fate down under a Tree, and leaning his Head in his Companion's Bosom fell asleep. As thus he slept, a certain Animal crept out of his Mouth, and made toward the Bank of a Rivolet adjoyning, as if it would go over, which his Servant perceiving, he drew his Sword and laid it a cross the Brook as a Bridge for it to pass, which accepting it went over upon it, and entering at the Foot of a certain Mountain after some hours stay, returned by the same Bridge into the Mouth of the King. Hereupon he presently awaked, and told to his Companion a strange Dream he had had; as that he beheld a vast River, over which lay an Iron Bridge, which having passed, he entred into a certain Cave at the bottom of a Mountain, wherein he beheld inestimable Treasures, the hidden *Gaza* of the ancient Fathers. Then the other tells him, what he had seen come out his Mouth, and it's agreed that the Mountain be searched, wherein just as he said a Cave was found, and therein an unspeakable quantity of Gold and Silver, out of which the King at first intended to send a very rich Vessel to *Jerusalem* to our Saviour's Sepulchre; but considering the difficulty of the Journey, and how the *Saracens* infested those Coasts, he changed his mind, and bestowed the Present on the Church of *Cabilo*, which he had caused to be built over the Sepulchre of St. *Marcellus*, and as long as the Tomb of the Martyr continued in *Gall*, nothing for Workmanship could be found that was comparable to it. This Dream of *Guntram* hath been much written and spoken of in later times. *Marius* tells us, that it's at this day to be seen (he wrote but in the Year, 1635.) ingraven on a Marble in a very ancient Nunnery, in a Town called *Vesontium*.

Guntram fleshly given.

Chron. Belg. ad A. D. 594. Decimo milliari à

Sect. 3. called *Palme* ten miles distant from *Besançon*, an imperial City situate in the middle of the County of *Burgundy*. Some that think it not altogether impossible, for the rational Soul to be separated from a Man's body, and yet the Body live, a certain kind of Life flowing from that Temperature into which a spiritual substance can have no Energy or natural influence, do much concern themselves about the Creature that went in and out at the King's mouth.

45. But, to our business. *Sigebert* knowing, that as to the matter of Women all his Brothers were much blamed, resolved not to split his Reputation upon the same Rock, and therefore sent into *Spain* to *Athanagild* (or *Athanahild*) King of the *Goths*, to ask his Daughter *Bruna*, or *Brunia*, in Marriage. Having received her with a very rich Portion; for that she was an *Arian*, he caused her to be Christned, saith *Gregory*, or baptized saith *Aimoinus*, and the later adds, that causing her to be instructed in the Catholick faith, he changed her Name from *Bruna* to *Brunechild*; whereas the other calls her *Brunehild* at first, making no mention of any change of Name. The noise of this Match being spread abroad, and, as in such Cases is usual, the fame of the Ladies worth being very great, *Chilperick* the other Brother who was already provided of a great number of Women, sent into *Spain* to procure her elder Sister, promising that if he could be so happy as to enjoy her, he would dismiss all his other Wives. *Atavasild* believing him, sent his Daughter to him, *Galsonta* by Name, with a great deal of Treasure, and his Ambassadours at the delivery of her demanded of *Chilperick* an Oath, that he would never put her from the Dignity of Queen. He readily gave it, but being of a very fickle and inconstant Humour, *Fredegundis* one of his former Wives, again wound her self into his Favour, and prevailed to be once more restored to his Bed. Having got so great an opportunity of working her ends, she ceased not to improve it, and knowing she had got fast hold of him, carried her self as Queen, and put all affronts imaginable upon *Galsonta*. She poor Lady hereupon makes her Complaints, and for a time is put off with good Words; but at length, the difference increasing, at the Instigation of he Strumper, he, who had she been taken by an Enemy, was in Honour ingaged to have redeemed her with his Sword, nay if the Case had so required, with his very Life, as *Aimoinus* observes, was not ashamed, when she thought nothing less, in their common Bed to cause her to be strangled; a Villany unknown to a Tyrant, a *Frank*, and much more to a King, in such a manner to violate the Dignity of Marriage. His Brothers were inraged at the Fact, and thinking themselves highly obliged to punish it, agreed together to deprive him of his Kingdom. And that the thing took not, *Chilperick* was not so much beholding to his own Policy, as the slightness of the Council, and Advice upon which the Design it self was founded.

Sigebert Marries *Bruna* the King of *Spains* Daughter.

Chilperick Marries her Sister.

Galsunta al. Welsonta & Galsuintha.

But strangles her in Bed.

46. But, to leave the wiving of those Kings, and come to something more fit for them to Practise, and us to Write, not long after the Death of *Chlotharius* their Father; the *Hunnes* resolved to invade *Gall* out of *Pannonia*, with intention there to Plant themselves, as *Attila* long before them had attempted. *Sigebert* having notice of their Motions and delighting in War, for which Nature had very well qualified him, determined to pass the *Rhine*, and if they still proceeded to give them Battel in the farthest parts of *Thuringia*, which was then subject unto his own Jurisdiction. At the River *Albis* they met and fought, where *Sigebert* remained Victour over a most fierce Nation, having slain many thousands of them in the place; and returning home, expected thanks from his Brothers, as the common Protectour of all their Dominions. But on the contrary he found, what in the least he never could have expected. *Chilperick* in his absence had faln upon his Towns, and amongst others, had made himself Master of *Reims*, so that his Sword which was not yet fully dry, he must again bathe in the Bloud of his Countreymen and Relations. *Suessio* or *Soissons*, the ordinary residence of his Brother he takes by Force, and therein *Theodebert* his Son whom he sent to safe Custody, then ingaging in Battel with him himself, he routs his Army, puts him to flight, and immediately recovers what was his own before his expedition. Having done thus much, he was so good Natur'd, as to make a Peace with him, and not onely restored him his Son, whom he sent away with great Gifts, but the City of *Soissons* also; and then being at his ease, he sent *Goga* the *Major Domus*, or his principal Minister into *Spain* to fetch *Brunchildis*, which he did to his sorrow, as the event proved. For after she came to have once an Interest with the King her Husband, she alienated his mind from him by degrees, and at last persuaded him to put him to Death; from which Act proceeded such Effusion of Noble, yea also of Royal Bloud amongst the *Franks*, and such slaughters were made, that in *Sibylla* her Prophecy

The *Hunnes* overthrown in Battel.

Albis, Ptolemæo Albis, Germaniæ Celeberrimus fluvius. Germanis Elbe, Bohemis vero, apud quos Originem sumit, Lab. Elar & Elbe Germanis undecim significat, atque tot Amnes in Albin influunt unde nomen fortitus est ut aliqui arbitrantur.

Prophecy they now accounted to be fulfilled, which foretold, that *Bruna* should come from the parts of *Spain*, before whose Face the Nations, or rather, the Kings of the Nations, should perish; but she her self should be kicked to death by Horses. Sect. 3.

47. In the mean time the *Saxons* being Neighbours to *Thuringia*, did much mischief to that Province, so that *Sigebert* was obliged to send one *Lupus*, an industrious Man, and a very good Souldier, to reduce them to reason, which not being able to doe without blows, he fell upon them, and on the Bank of the River *Bordaba*, cut in pieces many thousands of them, besides multitudes that were drowned in the River. Yet notwithstanding this People would not contain it self within its own bounds, but playing again the ill Neighbour, *Sigebert* himself, with a complete Army, marched against them, and sending away his Horse, fought on foot at the Head of his Men, which so animated them, that they got another notable Victory. At this Battel was present one *Conda*, now very Aged, but formerly an excellent Souldier, who lost two Sons in the Fight, young Men of very great valour. *Theodorich*, the Son of *Clodomæus*, in consideration of his worth, first made him a Colonel; then *Theodobert* having more experience of Conduct, gave him the place of Great Master of his Housholl, and after his Death he was, in a manner, Tutour to *Theodobald*, during his Minority. Afterward he served *Chlotharius* in the same capacity, he had one *Theodobert*, who did nothing of moment without him, and at last, having outlived so many Kings, he was so dear to *Sigebert*, that he, and he alone, sate with him at his Table, than which, amongst the *Franks*, a greater Honour could not be conferred on a Subject. On the Death of his Sons *Venantius Fortunatus* wrote an Elegant Poem, from which we have this Account of the Battel, and the Fortune of this excellent Captain, which otherwise had been buried in eternal oblivion. *Gregory* and *Aimoinus* writing of the Wars against the *Saxons*, spake nothing of this *Conda*, but great things of *Mummolus*, who obtained several notable Victories over them, and the *Lombards*, which the Reader may find in the History of this People, who at several times and under conduct of several Captains invaded *Gall*.

Venantius Fortunatus, l. 7.

The *Saxons* twice beaten by *Sigebert*.

48. Not long after the finishing of these Wars with the *Saxons* and *Lombards*, the Brothers fell at odds amongst themselves, the quarrel beginning betwixt *Sigebert* and *Chilperick*, whose Son *Clodomæus* seized upon *Burdigala*, but was thence expelled by one *Sigulfus*, who concerned himself in behalf of *Sigebert*. In the mean time a difference also arose betwixt *Sigebert* and *Guntram*, who assembled all his Bishops together at *Paris*, to determine the Controversie, but the Civil War being to grow into greater flames they refused to stand to their determination, so great were their sins, as *Gregory* observeth. *Chilperick* after this fruitless Mediation was so far incensed, as to send *Theodobert* his eldest Son, who had, when a Prisoner, given his Oath never more to fight against his Uncle, to invade the Countries of the *Turoni*, *Pictavi*, and all the other places beyond *Ligeris*, which having formerly been part of the Inheritance of *Cheribert*, had faln to *Sigebert*. At *Pictavi* or *Poictiers* he gave Battel to *Gundobald*, who endeavoured to put a stop to his Cariere, and gave him a notable overthrow, with which success animated, he wasted with Fire and Sword the greatest part of the Countrey about *Tours*, and if they had not yielded themselves in time, had utterly destroyed them. Thence he removed to the *Lemonices*, and *Cadurci*, the Territories of whom he invaded, wasted, destroyed, burnt their Churches, caused their Service to cease, killed their Clerks, demolished the Monasteries of Men, deluded the Women, overturned all things, so that in the Opinion of *Gregory*, the groans of these Churches were greater than they had been in the very days of *Diocletian*. *Sigebert*, as he had some reason, being moved with these violent Courses of his perfidious Nephew, sent and raised Forces beyond the *Rhine*, out of *Thuringia*, and the neighbouring Nations, which making up a great Army, he led them against *Chilperick*, who fearing that his Brother *Guntram*, had deserted him, because overcome by the Threats of *Sigebert* he had let his Forces pass the readiest way through his Countrey, desired Peace, which being granted, he capitulated that the places his Son had wasted, might not be called to account, having done nothing but what they were constrained to doe by Acts of such a violent and terrifying Nature.

Civil Wars among the Brethren Kings of *France*.

Burdigala, hodie Bourdeaux, oppidum Biturigum Vibiscorum, de qua consule Sincerum in appendice ad Itinerarium Galliæ. Bituriges Celtici, dudum duabus suæ gentis Coloniis in Aquitaniam, altera Boiorum, Vibiscorum altera, huc attribuerunt, a quibus Burdigalenses, till Ferrarium. Ut innuit Monetus in Geographia Gallie.

49. By Virtue of the Accord, he was to give up all that *Theodobert* had lately Conquered, which done, the Army of *Sigebert* was to disband and march away. But being strangers, and having no other motive to the Service, but the desire of pay and Booty, they resolved, seeing their time was to be so short, to make the best

Sect. 3. beſt uſe of it they could; and therefore rifled all the Towns about *Paris*, and ſo returned, being nothing pleaſed with *Sigebert* for his ſo ſhort Entertainment, who overpowered ſome with good Words, and others with harſh Deeds, cauſing ſeveral Mutineers to be ſtoned. Now all differences were compoſed betwixt the Brothers, and nothing was expected but a perpetual Amity, and a good Correſpondence not to be infringed. But ſee the natural Diſpoſition of theſe *Franks*: *Chilperick* the Year after raiſes Forces, and again makes Excurſions into the Dominions of *Sigebert*, making waſte of all things he light upon as formerly, which obliged his Brother to recall the Army, he had lately remitted into *Germany*. He himſelf marches toward *Paris*, and ſends Orders to his Subjects living about *Tours* and other places, to make head againſt *Theodobert*, who having no mind to the Employment; he ſent *Godegiſilus* and *Guntram*, two of his Officers againſt him. Upon their appearance in the Field moſt of his Men deſerted him, yet would he with a few, in Compariſon, give them Battel, and being ſlain was carried by *Arnulfus* to the City of *Engoliſme* and there buried. *Chilperick* upon the approach of *Sigebert*, when he heard that his Brother *Guntram* had made his Peace with him fled, to *Tournay* with his Wife and Children, and therein fortified himſelf. *Sigebert* took in all Towns on this ſide *Paris*, and came as far as *Rothomagus* or *Rouen*, whence returning to *Paris* again, thither came to him his Wife *Brunichildis* with her Children.

Tornacum, hodie Tournai, oppidum Belgarum ad Scaldim fluvium.

Ratomagus Reiorum hodie Metropolis Venetis Caſtorum in Gallia Celtica.

50. Now did theſe *Franks*, who had formerly been ſubject to *Childebert* the Elder, ſend to him, offering to renounce the Title of *Chilperick*, and to put themſelves under his Government. Incouraged by this Addreſs, he ſent a Party to beſiege his Brother in *Tournay*, reſolving himſelf to follow with a greater force. At a certain Village called *Victoriacum*, his Army came to a Rendezvous, and here ſetting him upon a Target, (according to the cuſtome of theſe Northern Nations, for ſo *Vitigis* was by the *Goths* inaugurated) they ſaluted him firſt King of *Paris*. Thus far all things tended to his wiſh; but the Fortune of the greateſt Monarchs is very inſtable. Two young men corrupted with gold by *Fredegundis*, the Wife or Strumpet of *Chilperick*, while he prides himſelf in his new Title, and receives the congratulations of his Officers, even in the midſt of the Army, with poiſoned Knives, in thoſe days called *Scramaſaxi*, ſet upon him on each ſide, and wounded him ſo, that he died ſpeedily in the place, in the fortieth Year of his Age, and the fourteenth of his Reign. *Chilperick* having received the News, came out of *Tournay*, and buried him at a Village, called *Lambrus*, near *Doway*, whence he was afterward removed to *Soiſſons*, to the Church of St. *Medard*, which being founded by *Chlotharius*, his Father, had been finiſhed and beautified by himſelf. *Chilperick* thus, by the wickedneſs of other Men, being ſaved from imminent Ruine, from *Tournay* went ſtreight to *Paris*, where finding *Brunichild*, and her two young Daughters, he baniſhed the Mother to *Rouen*, and the Daughters to * *Meldi*, a Town lying upon, or rather a People living near, the River *Matrona*; as for *Childebert*, the Son of *Sigebert*, *Gundebald*, his moſt faithfull Friend, had beforehand with all ſecrecy imaginable conveyed him unto *Metz*. † *Chilperick* by *Andonera*, his firſt Wife, had three Sons, *Theodobert*, *Meroneus* and *Clodonæus*. *Meroneus* he ſent againſt the People living about *Tours*, being the Subjects of his Brother *Guntram*; but coming to that City under pretence of going to viſit his own Mother, who lived baniſhed amongſt the *Cenomani*, he went to *Rouen*, and there he married *Brunichildis*.

King *Sigebert* ſtabbed.

Is ſucceeded by *Childebert* his Son.

* *Meldos Papirius Maſſonus ait eſſe oppidum ad Matronam fluvium; at vera Meldi five Melda ſunt Populi, quorum alii ſunt Belgo-Celtici, ad dextram ſcilicet ripam Matronæ, alii propriè Celtici Sequanam inter & Matronam fluvios; Les Briois Celtiques, le People de Brie Celtique, aut our de Meaux, & deſſe & deſſus la Riviere Marne. Alii ſunt Meldi Maritimi atque Belgici, uti Strabo diſertè ait, & Cæſar ipſe indicat cum ſcribit, ſua juſſu fabricatas Naves in Meldis, ad ſubvehendos exercitus in Britanniam.*

† *Chilperick ut Venantius tradit, l. 9. potentem & validum adjutorem ſonat. Abjecto litera C, quad in aliis nominibus, Scaligero monente, fieri debet, eſt Hilp-rich, Hilpe Anglis etiammum* Helpe *auxilium*, Rich *dives aut potens.*

Hilperice potens ſi interpres Barbarus extet,
Adjutor fortis hoc quoque nomen habes.

51. *Chilperick* was inraged upon hearing thereof, fearing the Craft and Wit of the Woman, who he knew would never be reconciled to him, nor his Wife *Fredegundis*, but would work his Son to her own Will, and thruſt him on to dangerous attempts againſt his Family. He goes down therefore with ſome Forces to *Rouen*. They take Sanctuary in a Church of St. *Martin*, whence they refuſe to depart, till he had given his Oath, not onely for the immunity of their Perſons, but of their Marriage alſo. The Accord is made, and being come out of the Church, he feaſts them for two days together, but then takes away his Son, not at all regarding

ding his Oath. As he returns, News is brought, that thoſe about *Campania* and *Reims*, had riſen up in Arms, and taken from him the City of *Soiſſons*, which raiſed in him ſuch Indignation, that ſpeedily increaſing his Forces by new Levies, he goes againſt them, overthrows them in Battel, and retaking *Soiſſons*, puts many of the Nobility to death. Then ſends he his Son *Clodonæus* againſt the People inhabiting about *Tours*, joining with him, as his Couſellour and Aſſiſtent, one *Deſiderius*. Againſt them *Mummolus*, the Patritian of King *Guntram*, made head, and giving them battel, got the better, killing, *Aimoinus* ſaith, no leſs than fifty thouſand of their Men, with the loſs of twenty thouſand of his own followers, though *Gregory* mentions but twenty four thouſand on the one ſide, and five thouſand on the other. This put *Chilperick* much out of humour, and *Fredegundis*, his Wife, obſerving it, thought it a fit time to turn his Rage and Diſpleaſure upon *Meroneus* his Son, whom ſhe accuſed of Treachery, and abetting the Intereſt of *Brunichildis*. At her inſtigation he is ſhaven, and being thruſt into a Monaſtery in an Iſland called *Aniſola*, near to the *Cenomani*, there it is commanded that he be ordained Prieſt. But by the perſuaſion of one *Guntram*, a Count, he makes his eſcape thence, and reaſſuming the Habit of a Lay-perſon, comes to *Tours*, and takes Sanctuary in the Church of St. *Martin*, where *Gregory* the Biſhop, our Hiſtorian, refuſed to give him the Communion, till he threatned to cauſe a Maſſacre of the People thereabout to be made. He continued here for ſome time, to the great regret of his Father, and *Fridegundis* his Step-Mother, who uſed all means poſſible to intrap him. Being by her Wiles drawn out of this Church, with intention to be ſlain, though he eſcaped the danger, at length, after he had had recourſe to *Brunichildis*, but was rejected, he was circumvented by the People called *Tarabannenſes*, who pretending they would revolt to him from his Father, he uſed all ſpeed imaginable to put himſelf into their Hands. But having him once in their Power, they ſent his Father notice, who uſed all expedition to come at him, which he dreading, and expecting to be cruelly handled, he prevailed with one *Gailenus*, his follower, to kill him, which he did with a Knife, run into his ſide. The King coming after he expired, cauſed *Gailenus* to be tortured to death, with ſeveral others of his attendants. The Report went, that this Train was laid for this unfortunate young Man by *Guntram Boſo*, who was very dear to *Fredegundis*, becauſe he had ſlain *Theodobert*, another Son of *Chilperick*, and by *Ægidius* a Biſhop, who had been a long time very familiar with her.

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Aniſola Monaſterium eſt Cenomannorum cui Carileſi nodie Nemeti non procul à Ripa Ledi fluminis (le Loir) & Vindocino (Vandome) urbe Ptolemæo cognita.

Qui Tarabannenſes Gregorio ſunt Tarnanenſes Aimoino. Eſt autem Tarnanna ſeu Tarnenna oppidum Morinorum, hodie Teroane.

52. *Childebert* all this while reigned in the room of *Sigebert* his Father, a Child of ſcarcely five years old when the Succeſſion was devolved upon him. By the procurement of *Gundebald* his faithfull Friend, the Eſtates reſolved to ſtick cloſe to him, rejecting all Propoſals which could be made by *Chilperick* his Uncle, who ſeeing that he had eſcaped his Hands, and that his Subjects were not to be moved from their Fidelity, made a Virtue of Neceſſity, pretended great kindneſs, and at his demand releaſed *Brunichildis* his Mother, and ſent her to him. *Guntram*, his other Uncle, ſeemed more ſerious and ſincere in his pretenſions, who having loſt all his Children, after that grief would give him leave to conſider the ſtate of his Affairs, caſt his Eye upon this his young Kinſman, as him whom both Nature and Providence deſigned for his Heir, and therefore he ſent to him, offering him all kindneſs, and deſiring that he would do him the favour to ſee him. Thoſe about the youth weighing all circumſtances, were of opinion, that conſidering he had no Children of his own, he could have no Plot upon him, and ſo they came to an Interview, at a Bridge called *Petreus*, where there wanted no expreſſions, nor other ſigns, of Joy and Affection. After long Embraces, *Guntram* told him, that ſeeing that his Sins had pulled down the Judgment of being Childleſs upon him, and that thoſe who proceeded from the Loins of others were to inherit his Territories, and his Treaſures, he thought none ſo fit as himſelf, his Nephew, whom he now adopted for his Son, deſiring that ſuch affection might grow betwixt them, as became ſo near a Relation, that one Buckler might protect them, and one and the ſame Lance defend them againſt their Enemies. In caſe it ſhould ſo happen, that he ſhould have Children, he promiſed he would look upon him as his Son, and have the ſame kindneſs ever for him as he had at preſent, expecting the like from him, which his Nobility promiſed in his behalf. After this they dined lovingly together, and making each other rich Preſents, parted aſunder, having agreed upon a joint Embaſſy to *Chilperick*, to require that he would reſtore ſuch parcels of their

Childebert courted by his Uncles.

Sect. 3. Dominions as he had got into his Hands, or otherwise to expect and prepare for War. *Chilperick* slighted the Message, spending his time in making Cirques both at *Soissons* and *Paris*, for entertaining with Shews the People of those parts.

Stirs in *Britain.*

53. About this time happened some stirs in *Britain*, upon this occasion. *Maclianus* and *Bodiccus*, both Counts of that Countrey, had by Oath covenanted betwixt themselves, that whosoever was the longer liver, should patronize and defend the Sons of the other, no otherwise than his own Children. It happens that *Bodiccus* dies first, and leaves behind him a Son, named *Theodorick*, whom *Maclianus* treats so contrary to his Oath, that he outs him of his Inheritance, and lays it to his own Demains. *Theodorick* thus abused, wanders a long time up and down in a desolate condition; but at last the *Britains* took pity on him, and fell with such violence upon the Usurper, that they kill him, together with *Jacob* his Son, and settle *Theodorick* in what was left him by his Father, *Warochus*, another Son of *Maclianus*, stoutly making good his own Inheritance. In the mean time *Chilperick* busies himself with *Prætextatus* the Bishop of *Rouen*, whom accusing of having conspired with his Son *Meroneus* against him, he brings him to his Tryal before a Synod of Bishops. *Prætextatus* denied all that was objected. The Bishops either flattered the King, or at least held their peace, onely *Gregory* of *Tours*, the Historian, as he himself tells us, stood to the truth, and for so doing came into trouble, but he told the King his own freely. *Chilperick* seeing he could not prevail, but that the Bishop justified himself sufficiently, set some upon him, who persuaded him that an end might speedily be put to his troubles, and he might not in vain contest with the King, to confess himself guilty, which he did, casting himself at his feet, acknowledging that he endeavoured to depose him, and settle his Son (whose Godfather he was) in his Throne. *Chilperick* most unworthily takes advantage at this confession, and falling at the Feet of the Bishops, demands Justice against him, and afterward sends them a Book of Canons, wherein this was contained, *That a Bishop being taken in Murther, Adultery, or Perjury, should be deposed.* He required that either his Coat or Rochet might be torn in pieces, or that the hundred and eighth Psalm, containing the Curses of *Iscariot*, might be read over his Head, or that they would proceed to excommunication. The Bishop of *Tours* withstood all these demands, urging the Canons, against which the King had promised that he would act nothing. But *Prætextatus* was taken from them, and committed to Prison, whence endeavouring to make his Escape, he was grievously beaten, and sent into an Island of the Sea, near adjacent to the City *Constantina*. This happened a little before the death of *Meroneus*.

54. Not long after *Samson*, the youngest Son of *Chilperick*, died of the Dysentery, joyned with a Fever. He was born then when *Chilperick* was besieged in *Tourney* by his Brother, and *Fredegundis* being in great apprehension of death, neglected the Infant, assoon as it was born, and in a desperate humour would have suffered it to perish, but he reviled her for her neglect, and commanded it to be baptized, after which it scarcely lived four years. *Fredegundis* also her self was at this time very sick, but recovered, to the ruine almost of her Husband's Family, through her implacable Malice against his Sons. He, though his Charge and Care by the death of his Children might have been lessened, yet grew more covetous than ever, at the instigation of his Wife, laying such heavy Taxes upon his People, that many of them made the best of what they had, and departed out of his Dominions. The *Lemonices* made an Insurrection, had slain (*Aimoinus* saith they did slay) *Mark* the Collectour, but that he was rescued by the Bishop; and burnt all the Books and Papers they could come by, that concerned the Tax. To suppress this Rebellion, the King sent certain of his Officers, with competent Forces, who punished the Rioters with great severity, and Churchmen, amongst others, whom the Courtiers, as *Gregory* tells us, falsly accused; which done, more heavy Impositions were laid upon the Countrey. Not long after, *viz.* in the fifth year of *Childebert*, which was the nineteenth of *Chilperick* and *Guntram*, several Prodigies appeared, and were followed by a violent Disease, which raged all over *Gall*, being that which Physicians call *Cholera Morbus*. The Parties were taken with a Dysentery and Vomiting, which were accompanied with a great pain in their Reins, and in their Heads or Necks. That they vomited was yellow or green, and many thought they were poisoned, it's certain that such Herbs as are accounted to resist Poison, did

Heavy Taxes imposed on the Subjects of *France.*

Lemonices first *Lemovici*, hodie *Limosini*, Aquitanæ Galliæ Celtic.

Then followed a Pestilence.

did relieve most that made use of them. Beginning in *August*, it first destroyed a multitude of Children, and then invaded those of riper years. *Chilperick* himself was brought very low with it, and when he recovered, his youngest Son, as yet not baptized, fell sick, whom when they saw in danger, they caused to be christned. When he grew something better, his Brother *Chlodobert* was seized with the Disease, whom his Mother *Fredegundis* perceiving in danger of death, began to consider, and entertain more serious thoughts than formerly. Sect. 3.

55. In this good fit, which was not like long to continue, she became a Preacher of Mercy to the King her Husband, she desired him to consider in what danger they were to be bereaved of their Children, and affirmed that the Cries and Tears of Orphans and Widows pulled down these Judgments upon their Heads; therefore she besought him that he would no more burthen his People, but commit to the Fire the Books of the late Tax, which he did with his own hands. Not long after this their youngest Son died, whom from the Village *Brennacus* they conveyed to *Paris*, and caused to be buried in the Church of St. *Denis*, *Chlodobert*, their other Son, being very weak, they carried in a Litter to the Church of St. *Medard* in *Soissons*, and laying him at the Sepulchre of the Saint, made Vows for his Recovery; but he died at midnight of a Consumption, and was buried in the Church of St. *Crispin* and *Crispinian*, Martyrs, the whole City being in deep mourning, as for their nearest Relations. Of this Disease also died *Austrigildis*, the Wife of King *Guntram*, so wicked at her death, that unwilling to die alone, she procured two of her Physicians to be sent after her, through her false Accusations. *Chilperick*, by the loss of his Children, was grown very charitable, giving much to the poor, and liberally endowing many Churches. Yet the bewitching words of his Wife *Fredegundis* made him forget natural Affection it self; for whereas he had but one Son remaining, *Chlodomæus* by Name, she caused him to be sent to *Brennacus*, a place, as she thought, infected, for there her own Children had yielded to Nature. Here, as he lay, he let slip some foolish words concerning his future greatness, (for he thought he had reason to expect to be King) and the punishment he would inflict upon his Enemies. The report hereof being brought to her Ears, she was filled with Rage and Jealousie, and accused him of very wicked Designs unto his Father, who was so uxorious and unnatural, as to give him up into her Hands. Within a while she caused him to be stabbed with a Knife, and gave out, that he had killed himself, which his miserable Father easily believed, and rejoiced in his destruction. His Mother was put to a cruel Death, his Sister condemned to a Monastery, and all their Estates were seized to the use of the Queen, who caused a young Woman, with whom *Chlodomæus* was said to be in Love, to be burned alive, and others that favoured his Cause, with various torments to be destroyed. Which destroyed vast numbers.

56. During these Domestick Miseries, which if he could have understood it, happened to *Chilperick*, the *Britains*, under conduct of *Warochus*, their Count, invaded his Dominions with Fire and Sword, against whom some opposition was made, but onely with this Effect, that exasperated them the more, and made them commit great outrages in their Incursions. He attempted also something against his Nephew *Childebert*, though to no purpose, whose Officers had both honesty and ability faithfully and successfully to serve him. Betwixt his Brother *Guntram* and him, there was no good Intelligence, and it happening that *Miriothe*, King of *Gallicia*, who there reigned over the *Suevi*, sending his Ambassadours to *Guntram*, he intercepted at *Poictiers*, and caused them to be conveyed to *Paris*, where he clapt them in Prison, and dismissed them not till after a whole years durance. With *Lewigildus* the King of *Spain*, he seems now to have been at Peace, notwithstanding the just offence given to the Nation of the *Goths* in the matter of *Galsuintha*; for that King sent his Ambassadour to him, *Egilanus* by name, with whom, being at present a violent Arian, though afterward in his misery he recanted, *Gregory* our Historian had a disputation, which *verbatim* he has published in his Book. Not long after the Ambassadours, which *Chilperick* had sent to *Tiberius* the Emperour, returned, after three years spent in their Employment, and after so much labour and toil, were shipwreckt in the Haven. For not daring to put into the Port of *Marseilles*, by reason of the Dissentions risen amongst the *French* Kings, they made for that of *Agathe*, a Town belonging to the *Goths*, and before they could land, their Ship was by a Tempest driven, and striking upon ground was broken to pieces. The Ambassadours, and most of their followers, yet escaped upon Boards safe to land, and most of their baggage was saved, though, as usually

The *Britains* invade *Gall.*

Sect. 3. happens in wrecks, that the adjoining Inhabitants, instead of relieving those in distress, rob them of what the fury of the Waves hath spared, the Townsmen pilfred all they could. *Gregory* the Bishop tells us, he then waited upon the King at *Novigentum*, where he shewed him a Jewel he had, made up of Gold and pretious Stones, weighing fifty pounds, for the adorning and ennobling the Nation of the *Franks*, as he said, adding, that if he lived, he would doe more in that kind. He shewed him also certain *Aurei*, sent him by the Emperour; whereof each weighed a pound, being stamped with the Emperour's Image, encircled with this Inscription, *Tiberii Constantini Perpetui Augusti*: and having on the reverse a Chariot with four Horses, and a Driver, with these words, *Gloria Romanorum*. Besides many other things the Ambassadours had brought him.

Civil Wars againe amongst the Kings.

57. Mention being here made of the Dissentions of the Kings, we are told by our Authour, that while the King lay still in this Village of *Novigentum*, or Saint *Clou*, Ambassadours came to him from his Nephew *Childebert*, making offers of Peace and a strict Alliance, by virtue of which they were to out *Guntram* of his Kingdom, and part it betwixt them. *Chilperick* was very glad of the overture, being very desirous to beget an ill Understanding betwixt his Brother and Nephew, and soothing them with good Words and large Promises, of making *Childebert* his Heir, (forasmuch as he had not now any Sons left him,) dismissed them with very great rewards. The cause of the Quarrel betwixt *Childebert* and *Guntram*, it seems, was this: *Guntram*, after his Brother's death, had given part of *Marseilles* to his Son *Childebert*, but now thought fit to deprive him of it, which the young man much stomaching, first strengthened himself by this New Alliance, and then sent to him, requiring he might be put into Possession of what was his own, else he lets him know the keeping of this inconsiderable thing should cost him the loosing of far greater matters. *Guntram* however refuses to put him in Possession, and aware of some force to be attempted, secures all the Avenues of his Kingdom. *Chilperick* takes his opportunity at these their Dissentions, and sends *Desiderius* with an Army into the Territories of *Guntram*, who takes **Petrogoricum*, † *Aginnum*, and all other Towns in those Quarters of *Aquitaine*.

* *Petrocorii sate salis augustus Populus Lex Perigordiens, quorum Metropolis Vesuna, Elle amni impolita Perigneus. Ripam, supra ipsius & Oldi fluminis confluentem.*

† *Aginnum, hodie Agen, Metropolis Volcarum Nitiobrigum, ad dextram Garunna*

Several Prodigies.

58. The following Year, which was the seventh of *Childebert*, and the one and twentieth of his two Uncles, in the Month of *January*, there was great Thunder and Lightning, Flowers appeared upon Trees, and a Comet appeared, encircled, as it were, with Darkness, having a terrible Tail. On *Easter*-day, at *Soissons*, the Heavens seemed to burn. Not far from *Paris* it rained Bloud, and so stained the Clothes of many, that it could not be got out. These Prodigies were followed by a grievous Contagion, which swept away multitudes of People, dying suddenly, as soon as the *Bubo* appeared on their Groins. This same Year, wherein also *Tiberius* the Emperour died, had *Chilperick* another Son born, after so many he had lost, which so affected him, that he commanded the Prisons to be set open, and forgave many Debts owing to his Exchequer. His Son he would have baptized at *Paris*, whither he went on *Easter*-Eve, and because by the common Agreement of the Kings, a Curse was laid upon him that should come into that City without the Knowledge and Consent of the rest, to avoid the Curse he was so cunning, as to have several Reliques of Saints to be carried before him at his Entry. All this while the difference about *Marseilles* continued betwixt *Guntram* and his Nephew, who now again sent his Ambassadours to *Chilperick*, with offers of entring into a more strict Alliance; and desires to join with him in an Invasion of *Guntram*'s Dominions, to force him to reason with dint of Sword. The Agreement being confirmed on both sides by Oath, *Chilperick* being of himself sufficiently inclined to the War, presently raised an Army, and marched to *Paris*, where having done much harm to the Inhabitants, he entred his Brother's Territories, and wasted all where he came with Fire and Sword. Some of his Officers he sent to take an Oath of Fidelity from the *Biturices*, who refusing to break their Faith, gave Battel to *Desiderius* his Captain, and so great slaughter was made, that of both Armies perished more than seven thousand. But it seems the *Biturices* had the worst, for *Chilperick* his Men proceeded toward their *Metropolis*, and made such havock and destruction of all things, as, if we can believe an Historian, and a Bishop, the like was never heard of in former times, not so much as an House, nor a Vine, nor any other Tree, being

being left standing, and as great Indignities being offered to all hallowed places, by which these Forces did pass. Sect. 3.

59. This did *Chilperick* by himself without the conjunction of his Nephew's Arms, which might more imbolden his Brother *Guntram* to make head against him, and that he did with such success, that falling upon his men in an Evening, he cut off the greatest part of his Army, and compelled him the day following to send, and desire a Peace, which was granted, the matter being put into the Hands of certain Commissioners appointed on each side. Then did *Chilperick* recall all his men he had sent into several Quarters, who yet in their passage did very great mischief to the Countrey People. This desolation by War was followed by a great Murrain and Death of Cattel, which raged in such a measure, that it became a strange sight to see a Cow, or any other such like Creature. In the mean time, *Childebert* got his men together, and made up a considerable Army, which fell suddenly into a Mutiny, crying out that the Bishop of *Rheims*, and some others of the prime Ministers were Traitours, selling his Countries, and Cities unto his Enemies, and Tumults arose to that height, that they came to the King's Tent, demanding them to be delivered up into their hands, and they with much adoe escaped, the Bishop amongst the rest flying as fast as his Horse could carry him, and leaving one Shoe behind him for haste. What this Mutiny of the Army procured we know not, but *Childebert* in the Ninth year of his Reign, had his share of *Marseilles* delivered up to him by his Uncle *Guntram*. What content soever he received hereby, his Uncle *Childebert* about the same time had his former sorrows renewed, his young Son now scarce a year old being taken away by a Dysentery. This caused him to give cool Entertainment to the Ambassadours of *Lenvichild* the *Spanish* King, who being sent to ask his Daughter in Marriage, for the Son of that King, though he had already consented to the Proposals, yet upon notice of his Son's Death, he recalled back the Ambassadours, who were now on their way homewards and would needs change the Bride, pitching, instead of his Daughter begotten on his beloved *Fredegund*, on another which he had by *Audonera*, lock't up in the Nunnery of *Poictiers*. But the young Lady was averse, *Radegund* the Abbess exceedingly concerning her self, and affirming, that it was a thing altogether improper, for a Maid that had dedicated her self to Christ, again to return to these Earthly pleasures.

After the Civil war a great Murrain on Cattel.

60. But there wanted not some flatterers who made the Queen believe that her young Son was bewitched to Death, and that by the especial procurement of *Mummolus* a great Officer, whom she had of a long time mortally hated. Many of the Women of *Paris*, which either she or her Attendants pretended reason to suspect, she subjected to various Torments, burning some, and breaking others upon the Wheel; then went she with the King to *Compendium*, where she took her opportunity to lay the load upon *Mummolus*, who was instantly sent for, loaded with Chains and grievously tortured. Yet did not he confess any thing which had relation to the Death of the Child, though he could not deny but that several Ointments and Potions he had received from those Women, to procure favour and respect from the King and Queen. After an increase of Torments, when the Hangmen themselves were weary of their Office, and an end was to be put to their pains, and his sufferings by the impending Sword, by the wonderfull bounty and kindness of the Queen he was reprieved, though carried in a Cart to *Bourdeaux*, and utterly despoiled of his whole Estate, the loss of which he not long survived. *Fredegund* to put an end to her sorrow by destroying what was an occasion of it, burnt all the Clothes and Furniture that belonged to the Child, four Waggons full as was reported, neither would she spare such Gold and Silver as had belonged to him, but made it pass the fornace to alter and deface its former fashion.

Mummolus tortured through the malice of Queen *Fredegund*.

61. As soon as grief would give him leave, *Chilperick* considering that his Brother and Nephew were reconciled, and measuring the desires of others by his own Inclinations, presumed that they would fall upon him to wrest out of his hands those Towns which upon their difference he had invaded. He therefore sent to the several Governours to bid them stand upon their Guard, he himself went to the City of *Cambray* where he resolved to secure both his Person and all his Treasure; while he here mues up himself, he has another Son born to him, whom he commanded to be close kept in the Town called *Victoriacum*, lest appearing abroad any mischief should befall him. *Childebert* at this time was in *Italy*, having been formerly hired by *Mauricius* the Emperour for fifty thousand *Solidi*, to make War upon

Sect. 3. The *Lombards* submit themselves.

on the *Lombards* in that Countrey. *Gregory* tells us that they being apprehensive of his great Power submitted themselves to his Commands, gave him great gifts and promised fidelity, which done, he returned home having thus deluded the Emperour, who demanding the money to be repayed, he confiding in his own strength, returned him no answer at all as to that matter. This Summer many Prodigies appeared, and all the Corn and Wine was destroyed by ill weather, a great Murrain also raging amongst Cattel. But the Eyes of the People were something diverted from these sad spectacles, by a splendid Embassy sent from the *Goths* to *Chilperick* about the Marriage of his Daughter. Nothing was wanting to set out the Bride in such an Equipage, as might demonstrate the Wealth and Magnificence of her Family. An incredible quantity of Gold and Silver he gave her, and her Mother out with such abundance that she her self had hoarded up, that the King himself imagined she had utterly exhausted his publick Treasure. But she went away with the curses of the people, of which some whole Families were thrust into Waggons and compelled to accompany her, and as she passed out of the Gate of *Paris*, the Axletree of her Chariot brake, which was interpreted as an ill Omen. Fifty Horsemen of her Train slipped away, and went to *Children* with their Golden Bridles and Chains, and every day almost some of her Company left her. The Army that attended her for fear of any attempt from the other two Kings, being about four thousand men, rifled and pillaged the Countrey; and committed all sorts of Outrages in their passage.

62. While the Bride was thus on her way toward her Nuptial Enjoyments, *Fredegund* her Mother enjoyed her beloved *Lauderick* the *Major Domus* of the Palace, with whom she was ordinarily unclean, carrying it so cunningly, that nothing was less expected by her Husband, who still in an extravagant measure doted on her. But on a time when he was gone out to Hunt, she thinking he was sure, retired into the inner Room of her Apartment to wash her self, when the King, either changing his mind as to Hunting or upon some other account, speedily returned and followed her into her Chamber, where as she lay upon her face, he in jest gently struck her with his Rod. She imagining it had been *Lauderick* called him by that Name, and asked him why he did so, or used some more wanton kind of expression, which *Chilperick* having heard, fell into a violent fit of Jealousie, and thence into so great a Rage that the House could not hold him, but out he would go into the Woods to cool himself and vent his passion. She understood very well by his words and gestures in what Estate she was, and adding boldness to her Crime, called for *Lauderick*, told him her mistake and bid him think of his Grave and not of her Bed any more. He fell into a great unquietness cursing the day they had begun their unlawfull Pleasures, and cried out that he knew not what way to turn him or to escape the danger. She in short takes him up and tells him what she would have him to doe to save both their Lives, and this was no less than to procure some to kill the King, as he came home in the dusk of the Evening from Hunting. He approving her advice, which their common danger in his opinion made necessary, sent some he could trust upon the Errand, who as the King lighted from his Horse dispatched him in the dark without discovery, and when it was done, gave out that the Fact was committed by some that had been set on by his Nephew *Childebert*, who, they said, were fled amain into the Woods, taking the advantage of the Night and thickets.

Aimoinus, lib. 3. c. 56.

Ita quidem ille rem refert. Chronographi autem Gallici alii aliter. Audi unum pro omnibus. Du Haillan dans son Hisstoire de France. Il apporta secrettement d'une bagnette qu'il tenoit en la main, luy donna un Coup sur le derriere de la veste. Elle qui pensoit que ce fust adultere Lauder, luy dit. Ilme semble mon Laudry que un bon Chevalier doit toujours frapper par devant, & non par derriere D'autres disent qu' elle dit Laudry, pourquoy trapper vous par derriere, frapper par devant, si vous en avez envie, carie croy que le Roy soit parly. Quoy qu'il en soit, l'eueue ni l'autre responce ne vaulx gueres, & ne pouuoit estre gueres plaisante a un Mary.

Chilperick Murthered by contrivance of his Wife *Fredegund* and her Stalion.

63. These No-bodies were by some body pursued with as great success as the Reader can imagine, *Lauderick* and *Fredegund* laughing in their Sleeves, and rejoycing that through the secret management of the affair, they had not onely escaped Death, but should Reign together with her, (it's probable also his) Son *Chlotharius*; for so was the young Child called. *Madalulphus* the Bishop of *Sylvaneata*, who attended three days but could not be admitted to his presence, (he carried himself so haughtily) hearing he was killed, came to the place and causing the body to be washed, and better Clothed, carried it by water from *Cala* where the Murther was committed to *Paris*, and there Buried it in the Church of St. *Vincent*, now St. *Germain Dezprez*, where as yet is to be seen his Tomb with his Image, cut upon an hollow stone, in the Walk that lies before the high Altar toward the North. His left hand is stretched out toward his Beard and Throat, as if, as some imagine, he would signifie that in that part he had been Murthered. But *Philip Lautery*, Master of the *French* King's Mint, had his very Seal wherein he was cut in this very posture, which makes it more probable that it was familiar to him, it having been the ordinary course when long Beards were in fashion, for all sorts of men as they walked or mused, to handle them and put them into shape. Round about his Sepulchral-stone are these words ingraved, *Rex Chilpericus hoc tegitur Lapide*, or *King Chilperick lies under this Stone*. In the Table of the *French* Kings to be seen still in the Library at *Brussels*, he is Pictur'd in an ordinary travelling Coat, such as *Capitolinus* writes that the Emperour *Verus* used, or an Hunting Garment, such as *Virgil* saith *Dido* was wrapped in when she went out to that sport, (by him called *Chlamys*, but by *Juvenal Cucullus*, and *Martial Bardocucullus*,) and that in such an ordinary Habit he was slain appears by what is written concerning the Bishop, that he caused his body after it was washed to be adorned with more Royal Vestments. He was the first of those *French* Kings that applied their minds to Poetry, and without the help of an Interpreter could discourse in several Languages, if *Venantius Fortunatus* doth not flatter him.

Who is buried at *Paris*.

Locum ipsum quem Gregorius appellat Villam Calensem, Du Haillan nobis, innuit esse Clichy les pres Paris.

His Character.

64. *Gregory*, the Bishop, and from him *Aimoinus* writes, that he thought himself wiser than all men living, and in imitation of *Sedulius* composed two Books of Verses, which were very lame in their feet, or *Scazontes*; as *Aimoinus* calls them, short syllables being put for long, and long ones for short, through his exceeding great Ignorance in things of this Nature. Yet from the Epitaph he made for St. *German*, some plead that he wanted not a Poetical genius, and they grieve that these two Books of Verses are not extant to answer for themselves. It's certain that the Orthography of the *Franks* lame before for want of certain Letters, he made upright by addition of such as answered to † ω, χ, θ, φ, or *Omega*, *ch. th. ph.* in the Greek Language, sending his Edicts abroad, whereby he commanded that Children should be taught them, and such Books as wanted them, to be razed and transcribed. But whatever he was as to his Intellectuals, his Morals were naught, as *Gregory* instanceth, and we already have seen in several particulars. The Bishop calls him the || *Nero* and *Herod* of his time, and thus he makes good the names he gives him. As *Nero* of old, so he rejoyced in the burning and devastation of Cities and Provinces. He animadverted upon persons on purpose to confiscate their Estates. He made his Belly his God, hated the Poor, despised and reviled the Clergy, upbraiding the Bishops with their Riches * and Honours, and affirming that all respect was from Kings transferred upon their persons. Out of such a kind of principle, he nulled such † Testaments as were made in favour of the Church, as also many Orders made by his Father, believing that his own Rules would be infringed after his Death. As for Lust and Luxury, that in thought cannot be imagined which he indeed did not practise. Never was he wanting in devising new Arts and Mysteries to oppress the people, and if any were found blame-worthy, it was nothing with him to bid their Eyes to be pulled out of their Heads, this being one of his especial directions given to his Judges against such as disobeyed his Orders. In conclusion, he never cordially loved any man, nor ever did any love him. He died in the 23 year of his Reign, the second of the Emperour *Mauricius*, the tenth of *Pelagius* the second Bishop of *Rome*, the year of our Lord 587, according to the common account, although if according to the computation of *Joseph Scaliger*, we fix his beginning at the 560 of our Lord, and he Reigned but twenty three years, his Death must have faln at fartheſt but into the beginning of the year 584. But considering that *Gregory Turonensis* makes mention of the Emperour || *Mauricius*, before the Death of *Chilperick*, and that he had Reigned some time, (some years it's possible,) whereas the beginning of *Mauricius* is placed but at the 586 year of our Lord, had *Chilperick* Died in the 584, at that time there must have been no such Emperour; and therefore this account cannot be true, or the series of the years of the Emperours must be also unravelled, as upon farther consideration we shall find they must; *Tiberius* the Emperour Dying, and *Mauricius* succeeding him, rather in the 582 year of our Lord.

Scazontes versus, id est, Claudicantes, qui numeris suis non perficiuntur. Papirius Massin.

† *Gregor. lib. 5. c. 44. apud quem errore Librariorum in Editione Parisiana, 1510, falso scribuntur, ut hic, lib. 2. c. 40.*

|| *His itaque cum hac præda pergentibus, Chilpericus, Nero noſtri temporis & Herodes, ad villam Calensem quæ distat ab urbe Parisiaca quasi centum Stadiis, accedit.*

* *Nulli penitus nisi soli Episcopi regnant, periit honor nobler, & tyrannidatus est ad Episcopos civitatum. Greg. lib. 6. c. 46.*

† *Obscurè hic scribit Gregorius, Testamenta quæ in Ecclesiis conscripta erant, plerunque misfuit. Sed setsitum interpretatur, lib. 7. c. 7. ubi ait Guntramnus Testamenta defunctorum qui Ecclesias hæredes instituerant & ab Chilperico compressa fuerant, restaurasse.*

|| *Ab Imperatore autem Mauricio ante hos annos quinquaginta millia solidorum acceperat scil. Childebertus, ut Longobardos de Italia extrudevet.*

65. *Chilperick* being Dead, the Murtherers notwithstanding their former hopes by some fresh accidents, found themselves obliged to make their Addresses to *Guntram*

Sect. 3.

Fredegund applies her self to King *Guntram*.

tram, who they knew, upon the rumour of the Murther if once it should come out, would be speedily upon them. To colour therefore the matter, as well as to make a vertue of Necessity, *Fredegund* having taken up her abode in the Church of *Paris*, sends him Letters most full of fawning and flattery, calling him her Lord, and desiring him to come and take Possession of the Kingdom of his Brother, whose Son an Infant she was ready to put into his Armes, and fully accommodate her self to his will and pleasure. *Guntram* it's said, as he ever shewed more good Nature than any of his Brothers, wept bitterly at the report of his Brother's Death, and as soon as grief would give him leave got together some Forces, and therewith marched to *Paris*. *Childebert* his Nephew having notice of what had passed, was perswaded also to go thither and see what Markets he could make out of the late Calamity, but the Citizens of *Paris* would not admit him into the Town, whereupon he was forced to send his Ambassadours on his Errand, which was to flatter *Guntram* with the Title of most pious Father, and to desire that the League made betwixt his Father and him might be now most strictly observed. *Guntram* received them as they had deserved, charging them with perfidious Dealings, who had never suffered his Nephew to stand to any Agreement, but lately caused him to break all Leagues and Alliances by a late Compact made with *Chilperick*, for driving him out of his Kingdom, and sharing his Cities betwixt them, and therewith he shewed them the very Articles themselves signed with their own hands, and therefore demanded of them how they could be so impudent, as to desire that now he should friendly entertain his Nephew, whom they by their tricks and devises had rendred so much his Enemy. They intreated him then that if he would not be pleas'd to grant his Nephew what he had once promised him, yet he would let him enjoy these Towns that had faln to his share by the Death of *Charibert*. To this he replied and shewed them the Writings, whereby it was agreed that which soever of the Brothers without the consent of the rest should go to *Paris*, should loose his share, and that *Polioctus* the Martyr, with *Hilary* and *Martin* the Confessours, should be Judge and Avenger betwixt them. Yet did *Sigebert* his Brother enter that place, and perishing by the Judgment of God, lost his share, and so also did *Chilperick*, so that both of them having forfeited their parts, the whole Kingdom of *Charibert* together with his Treasures was by Law devolved upon him, and that he was resolved to have it as his right, not having any one to enjoy any parcel of it, except by his own bounty and free gift. With this answer, he bade them begon, like dissembling and perfidious Persons as they were, and make a relation thereof to his Nephew their Master.

Who enters the Dominions of his Brother *Chilperick*.

66. These Ambassadours being returned, others were sent within a while to demand *Fredegund* the Queen might be given up into his Hands, which had procured the Death, as they said, of his Aunt, and had Murthered his Father, his Uncle, and his Cousin Germans; but *Guntram* thinking she might be serviceable for setling the Affairs of her Son gave answer onely, that he would consider of it, and made much of her, promising he would protect her against all her Enemies. Now did the Nobility assemble themselves to their King of four months old, whom they called *Chlotharius*, and ordered that all the Towns which had been subject to *Chilperick*, should swear fealty to *Guntram* and *Chlotharius* his Nephew. *Guntram* as a means to keep all in quiet as well as to satisfie Justice, caused Restitution to be made of what had been unjustly taken away from any in his Brother's time, gave much to Churches, and confirmed such gifts as having been made to them by Testaments, had been assigned by *Chilperick* to other Uses; he carried himself to all with much affability, and was very bountifull to the Poor. Yet knowing sufficiently the humour of his Nation, would not he trust himself amongst them without a strong Guard where e'er he came. On a certain Lord's day when he was at Church, and the Deacon had injoyned to the People silence that the Service might begin, he took the opportunity to speak to them, "adjuring them to be true to him, and not "Murther him as they had lately done his Brothers; that he might live though it "were but three years longer to foster his young Nephews, which were now be-"come his Adoptive Sons, lest it should come to pass (which God forbid,) that he "and they being made away, all the People should also Perish with them, there "being none left of their lineage to protect them. This he having said, the "whole multitude poured out their Prayers to Almighty God for his Preser-"vation.

Chlotharius succeeds *Chilperick* as King.

67. While

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67. While matters thus went about *Paris*, the Daughter of *Chilperick*, *Rigunthis* by Name, having proceeded in her Journey toward *Spain* as far as *Tolouse*, and being now upon the Borders of the *Gothick* Territories there made a stop to rest her self and followers, and put her Train into some better order and *Decorum*, being wearied and disordered by the Travel, and Accidents of so long a Journey. Here while they made an hault, News comes of *Chilperick* his Death, which when *Desiderius* a great Officer of the Countrey understood, he got together a Company of stout Fellows, and entring *Tolouse* seized upon all the Treasure the Lady was carrying along with her, and committed her to close Custody till his return. He then goes and enters into Council with *Mummolus*, with whom he had entred into a strict League and Confederacy two years before, who then lay at *Avinion* with one *Gundebald*, who bore himself for one of the Bloud Royal. And so it seems he was, being a Bastard Son of King *Clotarius*, who not owning him; his Mother having Educated him after the Royal Fashion, with his Hair grown in length, presented him to *Childebert* as his Nephew, and his flesh and bloud. He having no Sons of his own, receives him and keeps him with him, which being made known to *Clotarius*, he sent and demanded him of his Brother, and being brought to his Presence, caused his long Hair to be cut off; affirming, that he never begot him. After the Death of *Clotarius* King *Charibert* received him, afterward *Sigebert* got him into his hands, and sent him to *Coloine* to Prison, as *Aimoinus* and the *French* Chroniclers will have it. However, thence he made his Escape and went to *Narses*, who then Commanded in *Italy*, for the Emperour; his Hair being grown again, like those of the *Frank* Bloud Royal. In *Italy* he married, begot Children, and afterwards went to *Constantinople*, when long after he was invited by some (by *Guntram Boso* 'tis said) to come back into *Gall*, and Landing at *Marseilles* was entertained by *Theodore* the Bishop, who furnished him with Horses to convey him to *Mummolus*, who then also lay in *Avinion*. Hereupon *Guntram a Dux* (as *Gregory* calls both him, *Desiderius*, and *Mummolus*) the same with *Boso*, as appears from *Aimoinus* a great Officer of those parts, to conceal it seems what he had done, apprehends the Bishop, and commits him for having admitted a stranger into the Countrey, and made way for betraying the Kingdom of the *Franks* into he Emperour's hands, and though he produced a Letter written by some Noblemen of the Subjects of *Childebert*, to testifie he had done nothing but what he was Commanded to doe, yet came he to great trouble, as also did *Guntram* the Officer himself, whom King *Guntram* had suspected to have sent for *Gundobald*.

Mummolus and others enter into a Conspiracy.

Gregorius, lib. 7. c. 24.

68. For *Guntram* the Officer, sharing with another Officer of King *Guntram*, the Treasure of *Gundobald* (who had retired for his Security into a certain Island of the Sea adjoyning) after he had carried much Gold and Silver to the *Metropolis* of the *Arverni*, where it seems his Command lay; went to speak with *Childebert*, and in his return was intercepted by King *Guntram*, who threatned him with Death, for inviting *Gundobald* into *Gall*. He laid the fault upon *Mummolus*, and as a Testimony of his Innocency, delivered his Son as an Hostage into the King's hand, till he took *Mummolus* and brought him before him. Hereupon he dismissed him, and he gathering a numerous Army went and besieged him in his City, but to no purpose, for after some vain Attempts, *Childebert* sent *Gundulfus* one of his Captains, and raised the Siege; *Mummolus* he brought to *Arvernum*, whence after some time he returned to *Avinion*, and there joyning with *Desiderius*, as was said, they conveyed *Gundobald* to a place called *Briva Curretia*, and there according to the Custome, lifting him aloft upon a Target proclaimed him King. But carrying him a third time about the Army, he and the Target fell together, so that he could scarcely be raised by the Standers-by. Now was it *October*, when Bunches of Grapes appeared upon Vines, and Flowers upon other Fruit-Trees. Several strange Lights also appeared in the Heavens, the Earth quaked, and several other strange things fell out, which in the opinion of Men, were forerunners and signs of the Ruine of *Gundobald*.

Set up *Gundobald* for King.

69. In the mean time, King *Guntram* sent his Captains to take in such Cities as having formerly belonged to *Charibert*, his Brother *Sigebert* had reduced to his own obedience. Those of *Tours* and *Poictiers* were inclined toward *Childebert*, *Sigebert* his Son; but the *Biturici* fell into their Territories, and forced them to submit themselves, at least for a time, to the Government of *Guntram*. *Childebert* his Affairs thus going to wreck, he sent his Ambassadours once more to his Uncle to require, that his Towns might be restored, and *Fredegund* given up into his hands, to re-

Comites suos habet Greg.

Sect. 3. ceive her Condign punishment. But he sent those that he had formerly employed, who being very unacceptable to *Guntram*; very sharp words passed betwixt them, and from Words it came to Deeds, the King causing Dung and other kinds of filth to be cast out upon their Heads at their departure. *Fredegund* perceiving how much she was favoured by the King, was more imboldned to follow on that Course of Cruelty and Bloud, to which her wicked Nature did incline her. Such as came from her Daughter now at *Tolouse*, though but to bring her the News of her misfortune, she handled with all Indignities imaginable. *Prætextatus*, the Bishop of *Rouen*, she still persecuted, who appealing to *Guntram*, it was found that he never had been by any Synod deposed, which she objected, and so he was remitted to his See. The King being now very sensible of her unquiet and turbulent Humour, caused her to retire to a Village called *Rothoiale* near to *Rouen*, whither she was Conducted by her Husband's Nobility, who used her with all Respect, and promised her to use all diligence and fidelity in the Education of her Son. But this Confinement she took in great disdain, and perceiving her self out of request and Power, began to think of *Brunechild*, whom being in good Esteem in the Court of her Son *Childebert*, she much envied and hated, and to that degree her more than Womanish Emulation rose, that she persuaded a certain Clerk to go to her House, and getting into her Family by degrees to insinuate himself into her Presence, and when he had got a convenient opportunity, to kill her. He cunningly enough observed her rules, but by some means or other the Plot was discovered, and the fellow was sent back Ignominiously to her, whom for his Labour she rewarded, by cutting off his Hands and his Feet. Whether the report of these Acts of Cruelty, made *Guntram* suspect she had an hand in her Husband's death or no, we know not, but presently after, he began to make Inquisition after it. But she so craftily ordered her Affairs, as to cast the whole load upon *Eberulfus* the Chamberlain, with whom she was faln out, because after the Death of *Chilperick* he refused to live with her. This *Eberulf* was a very bad Man indeed, as appears from the Character given him by *Gregory*, who had too much occasion to understand him, and whether Guilty or no, took Sanctuary in the Church of St. *Martin*, his Estate being disposed of by the King. Here he had not long continued, when *Guntram* sent one *Claudius* with great Promises to *Tours*, persuading him, either to take him alive or kill him; yet so, as not to violate the Privileges of the place. This *Claudius* being covetous, goeth to *Fredegund* and gets Money of her for doing the feat, then with many Oaths doth he promise Friendship to the man, and grows so Familiar with him, that getting a convenient opportunity he kills him within the Sanctuary. A great Tumult hereupon arising, the Servants of *Eberulf*, coming in to rescue their Master, seeing him already dispatched kill *Claudius*, who thus received the reward of his Perjury, and those that belonged to the Church and the Abby, mixing themselves with the multitude, much more Bloud was spilt in the place.

70. This Year being the tenth of King *Childebert*, those of *Poictiers* revolted again from *Guntram*, against whom he sent a strong Army, and constrained them after much hurt done to the Countrey, to return to obedience. This done, the Army had Orders to march against *Gundobald*, who improved his time in rifling several Cities; some whereof willingly received him, and others shut their Gates upon him, as did *Tolouse*, though to no purpose, not able to withstand the Power he brought along with him. He perceiving he was like to have a great Task of it, a strong Army being already on its march against him, sent two Messengers, or Ambassadours as he would call them to *Guntram* with consecrated Rods in their hands, as was the Custome of the *Franks*, that none might touch them; but having done their Message, they might return in safety with the Answer. But they were so indiscreet as before they came to the King's Presence, to blab out the Errand on which they were sent, which coming to his Ears they were met in the way, and being bound with Chains, were then brought before him. They concealed nothing of their Message, but told him that *Gundobald* who lately arrived out of the East, and affirmed himself the Son of *Chlotharius*, had sent them to demand his share of his Father's Kingdom, which if by fair means it could not be granted; they were to let him know, that with a numerous Army he would speedily be with him, for all the Men of Courage which inhabited beyond the River *Dorononia*, had joyned themselves with him, and this he said, that when once they came into the Field, then God Almighty would determine the Controversie, whether indeed he was the Son of *Chlotharius*. *Guntram* fell into a great Rage, and Commanded them

The Inhabitants of *Poictiers* subdued.

them to be tortured. In their pains, they confessed that his Niece the Daughter of *Chilperick* had given up the Treasures, at *Tolouse*; that *Gundobald* was earnestly desired as King, by all the Nobility of King *Childebert*; for *Guntram Boso*, who some years agoe had made a Journey to *Constantinople*, had invited him to come into *Gall*. Sect. 3.

71. King *Guntram* was very much startled to hear what they said, concerning the Noblemen of *Childebert*, and thought fit to send for him, that he might hear the Confession of the Messengers. In his Presence they constantly affirmed the same thing, and some of those that were Guilty absented themselves, not daring to be present at the meeting. *Guntram* seeing how his Nephew was betray'd, in a great Passion of Pity and Commiseration, delivered a Spear into his hands, telling him thereby, he delivered over to him his whole Kingdom; and bidding him go, and what Cities soever belonged to him to use them, no otherwise than his own, for as much as he onely remained of his Lineage, being his Brother's Son; and therefore designing him his Successour, utterly disclaiming all else whatsoever. Then taking the Youth apart, he discoursed with him in private, Conjuring him, that he should not reveal what he propounded to him. He told him, whom he should make of his Council, whom he should trust, of whom to beware, whom to employ, and whom to remove from places of trust and Employment. Especially, he gave warning to beware of *Egidius* the Bishop, who said, had ever been an Enemy to him, and had forsworn himself very often to his Father. Then Dining together, he turned to the followers of his Nephew, and bade them look upon him now no more as a Child, but Respect and Reverence him as their King. Having spent three days together, they parted with all Expressions and Tokens of love and kindness. *Guntram* gave Order, that whatever Towns had been ever his Father's should be given up into his hands, and bade him beware of *Brunechild* his Mother, whom he ought not to trust, though his nearest Relation, in matters which concerned *Gundobald*.

Guntram adopts *Childebert* his Heir and Successour.

72. *Gundobald* hearing of the great Army that was coming against him, and being now forsaken by *Desiderius*, came with *Mummolus*, *Bladastes* and others to *Connenæ*, a City seated beyond the River *Garumna* upon a very high Rock; the Inhabitants whereof he informed, how great a force would presently be with them, and therefore as a Friend he advised them, that whatever Provisions, or other things they had in the Countrey, they should not fail to fetch them in. This when the Inhabitants had done, after a little time he told them, the Enemy was come, and perswaded them to issue out against him, which they innocently did, and then shuts the Gates upon them, and keeps them out. The Army which we said had incamped it self upon the River *Dordonia*, hearing that *Gundobald* lay on the farther Bank of the *Garonne*, were restless to be at him, upon a Rumour, that there he lay with all the Treasure which had belonged to *Rigundis*, the Daughter of *Chilperick*. Leaving the more inconsiderable sort, with the Baggage behind them, the rest ventured to pass the River, and though many of them were drowned, yet a sufficient number got safe over to the other Bank, where they found a multitude of Camels and Mules loaden with Gold and Silver, which having shared and incamped themselves before *Connenæ*, and not satisfied with their former Booty, plundred and wasted all the Countrey adjoyning. Then began they to jeer and revile *Gundobald*, calling him *Bellimeres*, for so King *Guntram* affirmed he was rightly called, and that his Father was a poor Artificer, naming him both a Miller and a dresser of Wooll. He from the Walls laboured to take them off from their violent Prosecution, telling them, he was the true Son of *Chlotharius*; and how by *Guntram Boso* he had been invited from *Constantinople*, upon Pretence that the Royal Family was much diminished, *Guntram* his Brother (as he called him) onely surviving now of all his Father's Children; besides *Childebert* the Son of his Brother *Sigebert* was but young, and *Chilperick* his other Brother had lately left an Infant behind him. He insisted much upon the Hardness of his Case, and said he was willing to appear before his Brother *Guntram*, and stand to his Judgment and Award.

Gundobald's Baggage taken.

73. This nothing moved the Souldiers, who perceiving the Town was not to be stormed, thought best to send to *Mummolus*, and try whether they could work him off, and persuade him to oblige King *Guntram*, by deserting and delivering up into his hands this Counterfeit, as they termed him. *Leudegisilus* then who Commanded the Army (being by Office the Over-seer of the King's Horses, whom they commonly call *Comestabilis* saith *Aimoinus*) procuring Speech with him upbraided

Sect. 3. braided him for quitting his Allegiance to his King, and ſerving an Uſurper; asked him what it was he could expect, whether to periſh miſerably, the Town being once taken; and adviſed him by all means to return to his Maſter, who was very mercifull, and whom he might oblige by removing theſe Difficulties and Intanglements, into which he had been the great means of bringing him. *Mummolus* promiſing he would conſider of the matter, goes back into the City and reſolves with *Sagittarius* a Biſhop, and *Waddo* (for *Bladaſtes* fearing what might happen, had ſet Fire to an Houſe belonging to the Church, and while they were buſie in quenching it eſcaped) to yield both the Town and *Gundobald* into the King's hands. *Lendegiſilus* promiſing them Pardon and Indemnity. *Mummolus* then tells *Gundobald*, he had tried the minds of the Beſiegers, and found them not at all averſe to him; but they admired he would not have recourſe to his Brother *Guntram*, whom he knew would be Friendly to him, and he uſes many Arguments to put himſelf into the King's hands. The poor Man ſaw well enough his drift, and fell into a Paſſion, upbraiding him and his Companions, for inviting him into *Europe*, taking his Treaſures from him, when he arrived, and now betraying him into the hands of his Enemies. Perceiving it was no contending he went out with them, and being delivered up after a Prayer, wherein he deſired Almighty God to be the Avenger of his Cauſe, he was by one *Bollo* Count of the *Bituriges*, tumbled down the Rock into the Valley, and by *Boſo* brained with a ſtone.

And he himſelf betrayed by thoſe of the Conſpiracy is Murthered.

74. The Rabble inſulted over the dead Body, ſtabbing it with their Lances, which done, they tyed a Rope to the Feet, and dragged it throughout the Camp; after which having the Hair and Beard torn from the Head, it was caſt out unburied in the ſame place, where he had been ſlain. The Town they plundered, put all to the Sword they found in it, and then burnt it, no kind of Perſons, things or places being ſpared. *Lendegiſilus* returning to the Camp with his Priſoners, *Mummolus*, *Sagittarius*, *Cariulfus* and *Waddo*, ſent privately to the King, to know what ſhould be done with them. *Guntram* returned word they ſhould be put to Death, for a Terrour to others in time to come, which was executed ſpeedily upon *Mummolus* and the Biſhop; for *Waddo* and *Cariulfus* having left their Sons as Hoſtages were got away, *Waddo* who was the *Major Domus* of *Rigunthis*, afterward betook himſelf to *Brunichild*, and being kindly entertained was diſmiſſed with great Gifts; *Cariulfus* took Sanctuary in the Church of St. *Martin*. Of all the Treaſure which *Lendegiſilus* brought home, *Guntram* beſtowed the greateſt part upon Churches and the Poor, and of another vaſt ſum (two hundred and fifty Talents of Silver, and above thirty of Gold, which being an old Treaſure was found by *Mummolus* as it was thought, and was now by his Wife diſcovered) that part which fell to his ſhare (for he divided it betwixt himſelf and his Nephew *Childebert*) he beſtowed (or the moſt of it) upon ſuch like uſes. Thoſe that had been too ſlow in the expedition againſt *Gundobald* were fixed, and amongſt the reſt, ſuch as belonged to a Cell of St. *Martin*, which our Hiſtorian, the Succeſſour of that Saint takes, very ill. This year was there great Famine throughout all *Gall*, many of the poorer ſort periſhing for want of Victuals.

Mummolus and the reſt faring little better.

75. *Childebert* having received Money from the Emperour to fight againſt the *Lombards*, was ſo wearied with the Importunities of the Imperialiſts, or aſhamed to have received the Money, and not performed this part of the Bargain, that he ſent his Army into *Italy*; but his Captains it ſeems being too many, and equal in Power, quarrelled one with another, and returned without having any thing of moment performed. This year was notable for the great Rains, which ſeemed to turn Summer into Winter; but neither they, nor the Water of the Sea it ſelf was ſufficient to extinguiſh two Fires, which if we may Credit our Authours conſumed two Iſlands, in the ſpace of ſeven days, with the Inhabitants, and all other things upon them. In another Iſland near *Vienna* was there a Pool, which being full of Fiſh, the Water of it was for the depth of an Ell turned into Bloud, ſo that for many days together multitudes of Dogs, Fowls, and ſuch like Creatures came and fed upon it. The year after, *Guntram* ſent his Armies to invade *Spain*, and revenge the Death of *Ingundis* his Niece, the Siſter of *Childebert*; who having been married to *Herminichild*, the Son of *Lennichild*, the King, was grievouſly perſecuted for her Orthodox Religion, and her Husband being put to Death, was before (or after) delivered into the hands of the Emperour's Officers, (he having an Army in thoſe Quarters) and died in *Africk*, as ſhe was going with her young Son to *Conſtantinople*, who, as others write, after his Mother was dead in *Italy*, was thither conveyed in

An Army ſent into *Italy*.

Spain alſo invaded by the *Franks*.

Gregorius but in re non fidi cæſtat.

Sect. 3. in ſafety to the Emperour's Court. The Armies of *Guntram* and his Nephew *Childebert* made ſeveral Inrodes and Attempts upon certain places, upon the Fronteers, but uſually with bad Succeſs, and one time with very great loſs of Men. Of this defeat *Fredegund* was thought to be a principal Cauſe, by the cloſe Intelligence ſhe was preſumed to have in *Spain*, though nothing could be proved againſt her. However, ſhe attempted to Murther *Childebert* by her Emiſſaries, whom ſhe furniſhed with poiſoned Knives, and though this her deſign was diſcovered by the Men themſelves, who confeſſed ſhe had ſent them to doe the Deed, under the diſguiſe of Beggars; yet *Prætextatus* the Biſhop of *Rouen*, againſt whom ſhe had long time born a great Grudge, ſhe procured to be wounded to Death in his own Church, as he was celebrating Divine Service.

76. About this time, the whole City of *Paris* in a manner was burnt, yet were the Churches and the Houſes of the Prieſts ſaved; a Report going, that the City was ſo Conſecrated of old, that no Fire ſhould abſolutely prevail againſt it, neither any Mouſe nor Serpent be found in it; but in his time *Gregory* tells us, the River about the Bridge being cleanſed, a Serpent and a Mouſe of Braſs were found in it, after which both Mice and Serpents appeared without number, and it was thenceforth ſubject unto Fire. This ſame Year, which was the eleventh of *Childebert*, was a Son born unto him, and called *Theodobert*, at whoſe Birth King *Guntram* ſo very much rejoyced, that upon the News received, he ſpeedily ſent away his Ambaſſadours with great Gifts to the Child: "Saying, that if it pleaſed God, that Father and Son ſhould live together, the Boy might prove a great Inſtrument for "advancing the Honour and Reputation of the *Franks*. *Fredegund* was much out of Humour, to ſee the Family of her Rival thus proſper, and though of late ſhe had had but ill Succeſs, as to the Bloud Royal; yet ſhe reſolved to make another Tryal, and that now upon the Perſon of *Guntram*, thinking that if he were once out of the way, ſhe ſhould be better able to deal with young *Childebert* and his Relations; but neither would this Project take, for the Man was diſcovered in the Church e'er he could come at the King as he went to Prayers, and rewarded as he had deſerved. The ſame Year, which was the twelfth of *Childebert*, he had another Son born, who was named *Theodorick*, and a little after by the means of his Uncle *Guntram*, he diſcovered a dangerous Conſpiracy for taking away his Life, entred into by one *Rauchingus Urſo*, and *Berthefred*, Men of prime note and Employment in his Kingdom. Not long after, was *Guntram Boſo* by both Kings at a meeting judged to Death for Treaſon; whoſe Death broke the Heart of *Agenius* Biſhop of *Verdun*, that paſſed his Word for him. About this time the *Britains* inhabiting *Aremorica*, made great Devaſtations in the Countries about *Nantes* and *Renes*, and though upon apprehenſion of an Invaſion to be made into their own Territories, they humbled themſelves, and condeſcended to terms, yet when the Danger was over, they again renewed their Hoſtilities. The *Lombards* now courted *Childebert*, and deſired a Marriage betwixt their King and his Siſter *Clodoſuinda*, to which he at firſt was minded to condeſcend; but *Leunieldus* the King of *Spain* being lately Dead, *Richardus* his Son and Succeſſour, having abjured the *Arian* Hereſie, purged himſelf of the other Siſters Death, who had been married to his Brother, and moſt earneſtly deſired his Alliance. This made him break his Promiſe made to the *Lombards*, and becauſe he knew not well how to excuſe himſelf, and come off by fair means, he reſolved to begin the Quarrel firſt, and in Complyance with the Emperour's pretenſions, ſent an Army to invade *Italy*.

Gregor. Turon. lib. 9.

The *Britains* make great Devaſtations about *Nantes* and other places.

77. This Army had the ſame Succeſs, as others that had been ſent before, and was to be expected from the joynt and equal Command of ſeveral Officers. So great ſlaughter was made of them, as if we may Credit an Hiſtorian, and a Biſhop, the like never had happened unto this Nation. *Childebert* upon the News of the defeat, was touched with ſo great a Senſe of the Diminution of his Honour, that he reſolved to raiſe another Army, and lead it himſelf into *Italy*, of which deſign they having notice given them, ſent to him, gave him fair Words, and by a Promiſe of Tribute diverted him from his purpoſe; though when they ſaw the ſtorm was over, they never became ſo good as their Word. *Guntram* his Uncle had adviſed him to a Peace, as indeed being more favourable to the *Lombards* than the *Goths*, whom he diſtaſted for the Cruelty ſhewn to his Neice, the Wife of *Herminfredus*; and for that in the ſeveral Attempts he had made to revenge her misfortune, and to gain upon the Territories of the *Goths*, he had moſt commonly come off with diſadvantage. Notwithſtanding what his Nephew *Childebert* had deſigned

Two expeditions in *Italy*, but with loſs.

Sect. 3. designed about the Match, he sent another Army into *Septimania*, where it was surprized, lying in great security, by the *Goths*, and utterly routed, above two thousand being taken Prisoners. This made *Guntram* suspect his Nephew of having held Intelligence with the Enemy, and, as it was usual with those Kings, upon any misunderstanding he shut up his frontier Towns, and denied all passage to his Subjects, and this increased his jealousie, that *Childebert* had lately thoughts of sending his eldest Son *Theodobert* to reside at *Soissons*, which he interpreted as done with design to make, as it were by stealth, a passage to *Paris*, by which means gaining the Hearts of the Citizens, he would push then for the whole, and deprive him, if it might be, of his Kingdom. He spake now very harshly of *Brunichild*, as having laid the platform of this design, and affirmed she had sent for one of the Sons of *Gundobald* to marry him. He caused a Synod of Bishops to be summoned to meet on the first of *November*, and many were on their way from the utmost parts of *Gall*, when News was brought that *Brunichild* had purged her self by Oath of the things laid to her charge. Hereupon they returned, and the ways were again opened to any of *Childebert* his Subjects, that had occasion to pass into these Quarters.

78. *Childebert* now dared to send his Son to *Soissons*, without fear of giving Offence and matter of Jealousie to his Uncle. Keeping his own Court with his Wife and Mother near *Stratzburg*, he consented he should reside there, at the earnest desire of the principal Inhabitants, who received him with all demonstrations of Kindness and Affection, with his Train and Equipage, which was every way appointed as for the Son of so great a King. Presently after a discovery was made of a Conspiracy betwixt *Sunegisilus*, his *Comes Stabuli*, and others, who had made a compact with *Septimina*, the Nurse of his Children, to poison or bewitch *Failenba* his Queen, which being done, when he had married another Wife, they thought they should rule him as they pleased; if not, he was also to be sent out of the way, and then, as Guardians and Protectours of his Children, they were to share the Government. This Year, which was the fourteenth of *Childebert*, after *Easter*-Week, so great Rains fell, that in the space of three Hours great Rivers seemed to run through the Vallies. In Autumn the Trees blossomed, and Apples appeared as in the Spring. In *September* Roses were found to grow, and Rivers overflowed their Banks to such an height as never formerly had been known, to the great hindrance of sowing the Winter Corn. But these Overflowings not onely happened in *Gall*; for *Grégory* tells, that the year following his Deacon returning from *Rome* with certain Reliques, made relation, that the River *Tiber*, in the self same Month, had, by an unheard-of Inundation, drowned all that City, destroyed the ancient Buildings thereof, and overturned the Barns belonging to the Church, wherein some thousands of Measures of Wheat were laid up. A Multitude of Serpents, with an huge Dragon, as big as a Beam of Timber, swam down the River into the Sea, and being suffocated in the salt Water, were cast dead upon the shore, and then followed a dreadfull Plague (called *Lues Inguinaria*, from the *Bubo's* that arose in the groin) which swept away a great number of People. This is the Plague wherewith many being seized, fell into a fit of sneezing, and suddenly died, whence some would derive the custome of praying for such as sneeze, which Opinion we confute in another place. As for this Dragon which swam down the River, it could not be of that sort of Creatures which Naturalists properly call Dragons, but some other Serpent, monstrous for bigness, and therein exceeding all such creeping things, by *Pliny* called *Boæ*, which he himself relates to have been sometimes seen in those parts of *Italy* which lie upon *Tiber*. From the noisome Vapours issuing out of their Carcasses, a Venome might be transmitted into the Air, already subject to putrefaction through excess and moisture.

Several Prodigies.

Lib. 8. c. 14.

79. About this time *Childebert* sent his Ambassadours to *Mauricius* the Emperour, who touching at *Carthage* in their way, there happened a great Fray betwixt their Train and the Townsmen, a French Boy having taken something out of a Tradesman Shop, and refusing to restore it. The Magistrate of the Town, to revenge the injury, which was utterly unknown to the Ambassadours, fell upon them and their followers at their Lodgings, and though they promised to spare their Lives, if they would surrender their Persons, yet in the heat of their Fury two of them they killed, *Bodegisilus* and *Evantius* by Name, and *Grippo*, the third Man that bore this publick Character, hardly escaped their violence, standing upon his guard, and so gaining time to reason the matter with them, and shew them the danger

danger they had incurred. Moved with his Arguments they pacified themselves, and at length withdrew to their Houses, and the Magistrate came to *Grippo*, and would have excused, or at least extenuated the Fact, offering him his utmost assistence for his safe travel to the Emperour's Court. Thither being come, after the signification of the business for which he was sent, he complained of the violence offered to the Law of Nations in the Murther of his Fellow-Ambassadours, of which *Mauricius* shewed a great Resentment, promising to give all satisfaction that *Childebert* should require, who being satisfied with what *Grippo* reported at his return, by virtue of the League lately renewed, sent twenty Captains into *Italy*, to destroy the *Lombards*. Several of these Officers used in their passage their fellow-Subjects and Countreymen no otherwise than as *Lombards* indeed, acting all things Souldiers are wont to doe in an Enemies Countrey, and when they were come into *Italy*, through their variety of Opinions, and separating themselves, did little of moment, but being exposed to the Strategems and Arts of the *Lombards*, after a vain expectation of succours from the Emperour, which was promised would be with them after three days, having spent three Months in the Countrey, and most of them being consumed with Sickness and Famine, the rest returned home. And before they could reach the several places of their abode, they were forced to sell their Arms and their Clothes to buy them Victuals. Sect. 3.

80. The Army of the *Franks* being thus retreated, *Apracharius*, the King of the *Lombards*, to prevent all farther Inconveniences of this nature, sent his Ambassadours to King *Guntram*, hoping by his Authority to prevail with, and pacifie his Nephew *Childebert*. *Guntram* by his good words was moved to recommend Peace as a desirable thing to his Nephew, but while the Ambassadours expected their dispatch in his Court, News came that the King their Master was dead, whereupon *Childebert* resolved to take farther time to deliberate, and telling them he would after mature consideration signifie his Mind to those concerned, therewith dismissed them. *Mauricius*, the Emperour, mindfull of the Affront which had been offered *Childebert*, sent twelve Men, who were conceived the guiltiest in the violence made upon his Ambassadours in *Africk*; but he, whether to reserve an occasion to make use of against the Emperour, or for other reasons, sent the Men back unhurt, saying, he could not accuse them particularly as Authours of the Injury, and that he would send Messengers of his own to him about this Affair. While these Tranfactions were in hand, the *Britains* inhabiting *Aremorica* renewed the usual Devastation into the parts about *Nantes* and *Remes*, where committing all sorts of Insolencies, King *Guntram* sent an Army against them, under Command of two Captains *Beppolenus* and *Ebracharius*, who being equal in Authority, a pernitious course, which yet our *Franks* ordinarily practised, fell out by the way, and thereupon the expedition had a success suitable to those principles. In their march yet they agreed in this one thing, to commit all manner of Villanies upon the Countrey, and having passed the River *Vicinonia*, came as far as the other called *Ulda*. It happened *Fredegund*, that Fury of *France*, had a grudge to *Beppolenus*, and therefore hearing that he was employed against the *Britains*, sent to the Aid of *Warocus*, their Prince, a Party of *Baio Cassine Saxons*, with their Hair cut, and apparelled after the British Fashion. *Beppolenus* ingaging with both Nations, though forsaken by *Ebrachartus* his Collegue, who would not come near him out of design he should miscarry, for two days together had good success, and slew many of them, but the third day was overpowered and slain; which done, *Warocus* flattered *Ebracharius*, and sent him back with fair words, promising to submit himself in all things unto *Guntram*. Yet forgetting both his Oath and Hostages, he had delivered, he sent *Canaon*, his Son, to fall upon such of the Army as loitered, which he made Prisoners, killing those that resisted him. The *Franks* in their retreat fearing to come nigh the Countries they had so much injured, lest they should be prepared for them, took other ways, and did as much mischief where they came unlooked for. Some accused *Ebracharius* the *Dux*, and *Wiliacharius* a *Comes*, as having for money betrayed the Army, whereupon the former was sorely taken up by *Guntram*, and discharged the Court; the other withdrew, and concealed himself till the storm should be over.

The *Britains* again infest the Countrey.

81. The Year following being the fifteenth of *Childebert*, and the twenty ninth of *Guntram*, this King, who was eminent otherwise for his Mildness and Moderation, (considering the fierceness and precipitancy of his Nation and Ancestours,) committed a Fact, for which he was taxed even by himself, with great cruelty

and

Sect. 3.

An Act of Cruelty in King *Guntram.*

and rashness. Hunting in the Royal Wood or Forest, called *Wosac*, he perceived by some evident tokens, that a Deer had been killed, and examining the Keeper, he accused *Chundo*, the King's Chamberlain. *Chundo* being taken into custody, stiffly denied the Fact, and the other as earnestly maintaining that he did it; for deciding the Controversie, the Combate was appointed to them. The Chamberlain had a Nephew which undertook it for him, who wounded the Keeper mortally, but falling upon him, the other received him upon the point of his Dagger, and so they perished together. *Chundo* seeing this, and that his Innocency was left as doubtfull as before, made his escape towards the Church of St. *Marcellus*, at *Cabillonum*, but the King being in a great Passion, commanded him to be pursued and apprehended, e'er he could reach the Sanctuary, and then to be tied to a stake, and stoned to death, which he much afterward lamented, and blamed himself, that in so precipitous and violent an humour, for so small a fault, he had caused to be made away a very faithfull and usefull Servant. In the mean time young *Chlotharius*, the Son of *Chilperick*, fell dangerously sick, and all hope of Recovery was over, which caused *Guntram* to take a Journey towards *Paris*, to settle matters, and prevent all disorders, in case he died, but e'er he reached his Journeys end, news was brought that he was on his Recovery, a great means whereof was a rich Present his Mother had made to the Church of St. *Martin*, in the Opinion of our *Gregory* his Successour, who farther tells us, that *Fredegund* her Devotion being now very warm, sent to *Warocus* into *Britain* to dismiss those that had been taken Prisoners when the Forces of *Guntram* made the last Invasion, whereby he judges it was evident, that by her tricks and devices *Beppolenus* had been slain, and the Army defeated in that Ingagement. The temper of the Woman considered, a very slight occasion might justly minister matter of suspicion, for about the same time when *Childebert* was come into his Chapel, a fellow was there taken upon suspicion, and being tortured, confessed he was sent on purpose by her to kill him. He affirmed her Emissaries were twelve in all, whereof six were come thither, and the rest were ordered to *Soissons*, to intrap, if possible, his young Son, there as then residing. Such of those Men as could be found, were subjected to mutilations of Members, and several sorts of Torments; and some, to prevent such Sufferings and Indignities, killed themselves. Above all, *Sunnigisilus* was most plied with tortures, his wounds being still again opened when they began to heal. In his pains he confessed not onely what related to the death of *Chilperick*, but several other Villanies, and discovered that *Egidius*, the Bishop of *Reimes*, was a party with *Raningus Ursio*, and *Buthefred*, for taking away *Childebert* his Life. The Bishop was summoned before a Synod of his Equals, who upon the King's Command, convened for this purpose, and being not onely found guilty of this, but of other notorious Treasons, was deposed, and afterward banished his Countrey, another being put into his place.

Cabillonum (Chalon sur Saone) *oppidum Æduorum Cabillonensium. Alluitur fluvio Ararı hodie Saone.*

The Villanies of *Fredegunda.*

82. *Fredegund* was become so obdurate in cruelty, at least had brought her self into that opinion with the People, that no Murther scarcely could be committed, no Bloud shed, but she must be thought to have an hand in it. The People of *Campania*, upon such an occasion, fell into a Mutiny, desiring *Childebert* that she might be apprehended, and put to death, and she was forced to make use of her Friends and Dependents for her removal to another place. To divert these storms, at least to procure her self shelter against them, she betook her to her flatteries, and now wrote to *Guntram*, to whom giving the Title of *her Lord*, she besought him to take the pains to come to *Paris*, and there cause her Son to be baptized, and be Godfather to him, looking no otherwise upon him than as his other Child. The King she had often heretofore amused with this Complement, but had still put him off from time to time, he suffering her not onely to enjoy her Life, and a Fortune becoming her condition, but also to order her young Son's matters, out of respect to the place she had born, and her present quality of a King's Mother. Now assoon as the Gout would give him leave to *Paris* he went, and commanding a Font to be prepared at the Village called *Nemptodore*, where attending the solemnity, Ambassadours come to him from his Nephew *Childebert*, who no sooner had received the News of his Uncle's Progress, but was seized with a fit of Jealousie and Emulation. They expostulate with him for joyning himself in Friendship and Amity with his Enemies, contrary to their former Accords, and complain that he designed to inthrone the Child in the City of *Paris*, a thing which considering what regard was ever had to that place by all former Princes could not but tend to the disrepute and damage of *Childebert* and his Successours. *Guntram* gave

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gave them good words, professed he would make good to a tittle what he had ever promised their Mother, who had no reason to be offended at so good a work, as being Godfather to his own Brother's Son, an Act of that Piety, that no Christian ought to refuse. He called God to witness, he did it not with any design, but in the simplicity of his heart, and out of fear of divine Vengeance. In summ, he bad them go and tell him, that he would keep the Agreement inviolable, and would never in the least infringe it, except he first gave some just occasion. Coming then to the Font, he gave the Child the Name of *Clotarius*, wishing that he might grow to that Height, Eminency and Power, as he did formerly whose Name he bore. Then, after mutual Feasting and Presents, he returned to *Chalon*, where, about two years after, he died in the three and thirtieth year of his Reign. In goodness he seems to have surpassed all his Predecessours, his bounty to the poor, his Piety toward the Church was remarkable. Leaving onely one Daughter, *Clothiardes* by Name, *Childebert* his Nephew, the King of *Austrasia*, succeeded him in his Kingdoms of *Orleance* and *Burgundy*. He was buried in the Church of St. *Marcellus*, (which now they call a Priory,) at *Chalons*, of his own foundation, being so well accounted of by Posterity, as to have his Name put into their Martyrology, in which the eight and twentieth day of *March* is consecrated to his Memory. His Death fell in or about the thirteenth Year of *Mauricius*, the seventh of *Gregory* the Great Bishop of *Rome*. *A. D.* 596.

Clotarius christened at *Paris* by *Guntram.*

King *Guntram* dies.

83. *Childebert* his Dominions being enlarged by the Accession of two rich and powerfull Kingdoms, had the same Itch of Ambition and Covetousness in his bloud as had been usually in his Ancestours. To cover yet this Passion of his Mind, he was not destitute of very specious pretences. *Fredegund* was yet alive, not onely his Enemy in particular, but the Plague and Bane of his whole Family. To revenge the Death of his Father and Uncle he would take up Arms, both who had perished by her Villany, not to mention others of their bloud, as the several Sons of her Husband, whom, as the most wicked of all Step-Mothers, she had caused most cruelly to be made away. He raises his Forces, and commits them to the Conduct of two Captains, *Gundoald* and *Wintrio*, whom he commands to invade the Enemies Territories, to plunder and burn all before them, and take as many Prisoners as they could lead away, and with these Instructions they march from *Campania*, lying about *Reims*, to *Soissons*, which they besiege. In the mean time *Fredegund* knowing how much she was concerned to bestir her self, omitted nothing requisite for an effectual resistence. Having called together such of the *Franks* as had been subject to her Husband, she shewed them their young King hanging at her Breast, and by words and gestures, fitted every way to the present occasion, moved their Pity toward the Infant, and their Indignation against those that had no regard to his Tenderness and Innocency. She promised large Rewards to such as should shew themselves zealous and courageous in his behalf, and desiring them to obey the Orders of *Lauderick*, (whom King *Guntram*, as *Aimoinus* writes, had left Guardian to her Son,) told them, she her self would find out a Strategeme, whereby they should easily overpower their Enemies. Having in the night season entred a Wood, *Lauderick* their Captain takes an Hatchet, and cuts down a bough of a Tree, which done, he hangs a little Bell at the neck of his Horse, and commands all his Followers to doe the like. This they did, and marching all the Night, by break of day came up with the Enemy.

Childebert succeeds him.

Appendix ad Gregor. Turonenſ. Hiſt. & Aimoinus lib. 3. c. 81.

Who prepares an Army against *Fredegund* and her Son King *Clotair.*

84. One of the Sentinels that belonged to *Childebert*'s Army, when the day dawned, perceived something he had not seen before, and ignorant of what had really happened, demanded of his Companion what should be the matter, for here was a Wood all on a sudden grown up in that place, where the night before not so much as one stick appeared. His Companion told him he was drunk the day before, and having not yet digested the crudities of his Intemperance, had forgot what he had formerly seen; for he affirmed they were in a Forest where he might hear the Bells that hung about the necks of the Cattel that were feeding, it being a custome amongst the *Franks*, especially those of *Austrasia*, to hang those Bells at their Necks, that if they wandered far, or were got amongst Thickets, they might easily be discovered by the sound. But while the Centinels continued their discourse, down fell the Wood, and instead of green Trees Men appeared in bright Armour, who advancing, fell upon their Enemies unexpected, and taking them at this advantage, while some were asleep, and others lay upon their Pallets, but all were well wearied with their Travel the day before, killed very many, some say thirty thousand Men, and put the rest to flight, amongst which the Captains

He is overthrown.

Sect. 3. themselves hardly escaped. *Fredegund* having obtained so great and so unexpected a Victory, with *Clotair* her Son, and a numerous Army invaded *Campania*, by *Rheims*, wasting all as she passed with Fire and Sword, which done, in a triumphant manner she returned to *Soissons*. Such was the success *Childebert* had in his design against her and her Son. The Year following his endeavours against the *Britains* had little better fortune, for he lost as many of his own men, well-nigh, as he slew of the Enemy. But his success against the *Varui* or *Varni*, made him some amends, who attempting to rebell, he put almost all the whole People to the Sword. He survived this their defeat not long, perishing, together with *Faileuba* his Wife, by Poison, as was reported, (for they both died on one day) in the fourth year of his Reign over *Burgundy*, and the twenty third of that over *Austrasia*, the five and twentieth of his Age, *A. D.* 600. *Aimoinus*, the Monk, gives us this Account of his Death. The Continuatour of *Gregory* the Bishop his History, saith nothing of the Poison, but tells us onely that he died in the fourth year after that he had succeeded his Uncle *Guntram*. Some of the modern French Chroniclers, after their manner of Haranguing, use many words, and as generally they make more of every story than ancient Authours do warrant, descant upon his defeat, and will have him to have died of Melancholy, and they make his Uncle *Guntram* to have outlived this Battel. To be sure *Childebert* left a great miss of him amongst his Subjects, not onely for that his Sons were young, and the inconveniences usually happening in the Reigns of Children, struck them with apprehension of future troubles, but out of respect of the worth of his Person, and his fitness to govern.

Alii Faleuba, *alii* Falemba, *& nonnulli* Si-delande.

King *Childebert* dies.

85. He left two Sons behind him, *Theodobert* and *Theodorick*, and one Daughter, named *Tandellema*. Some write that he had both his Sons by his Wife *Faleuba*, others say, he had *Theodobert* by a Concubine, and they found their conjecture upon this, that *Brunechild*, their Grand-mother, made *Theodorick* afterward believe, that he was not his Brother, which she would never have attempted, had they been born of the same Mother; but hereupon *Theodorick* fought his Life, and also desired to marry his Daughter. By what ties of Bloud soever they were related, their Father's Dominions were divided betwixt them. To *Theodobert*, being twelve years old, fell his Grandfather's Kingdom of *Austrasia*; to *Theodorick*, but ten years of Age, the Kingdom of *Guntram*, his Great Uncle, to which his Father succeeded by right of Adoption; the one reigned from the *Moselle* to the *Rhine*, and thence to *Albis*, or *Aube*, far and wide, and the other over *Burgundy*, and down the Rivers *Ararer*, *Saone* and the *Rhosne*, as far as to the *Sardoan* Sea. *Brunechild*, their Grandmother, had the Protection of them, and by her conduct their matters seemed well settled, which must needs be a great Eye-sore to *Fredegund*. To bring them into trouble, if not into danger, she, say some, procured the *Hunnes* (or *Avares*) to invade *Thoringia*, which having done out of *Pannonia*, they could not thence be driven, but by a receipt of great summs of Money. Before this, while the Reputation got by the defeat of *Childebert*'s Army was yet fresh and vigorous, she seized on *Paris*, and the other Cities of those Parts, in a barbarous manner, as our Authours phrase it, and sent an Army against the Forces of the two new Kings, which taking them at unawares, made great slaughter of them. This was the same Year that *Childebert* died, and in the second Year of *Theodorick*, (for by his Reign our Writers chuse to count) she her self was summoned to give an account of all her Murthers and Villanies in another World, (for by a strange Fortune she escaped Judgment in this) being the most wicked of all Women that ever breathed the Gallick Air. But dying thus peaceably in her Bed, her Son, or his Governours for him, buried her honourably by her Husband, in the Church of St. *Vincent*, now St. *Germain des prez*, where yet at the Feet of *Chilperick* her Monument is to be seen, on which her Image was pourtraicted, but is now so worn out with treading, handling, or with age, that the Lineaments thereof cannot be discerned.

Vide Tillium in Comment. & Disquisit. de Reb. Gallicis, pag. 16.

Theodobert and *Theodorick* his Sons succeed him.

Author Appendic. ad Gregorii Turonens. Hist. & ex illis Aimoinus, lib. 3.

Fredegund, Mother to *Clotair*, dies.

86. The news of her Death brought no little Joy to *Brunechild*, who though as yet she was short of her in respect of Villanies and Murthers, yet bore as high a mind (as well she might,) and was of a very restless and ambitious temper. Her Carriage toward her Grand-Son *Theodobert* and his Nobility was so uneasie, that they drove her out of that Kingdom, and that in so desolate a Condition as the story is told, that she was alone found in the Fields by a certain poor Man, with whom she prevailed to bring her to the Court of *Theodorick* her other Nephew. *Theodorick* received her with that respect which became her Quality, and so near a Relation, and of her Guide she was so mindfull, as of a poor Shepherd (it may be,) she made a rich Bishop of the Diocese of *Auxerre*. Whether by her Importunity, or their own Inclinations induced, the two Brothers now longed to be revenged on their Cousin *Clotair*, for the advantage he had taken of their Youth, and the unsettlednes of their Affairs. Matters growing still worse, at length they come to an open declared War, and to an Ingagement, near the River *Arvenna*, not far from a Village called *Doromell*, where so great a slaughter was made, that the River was filled with dead Bodies, and was stopped in its Current. But *Clotair* had the worst of it, who not able to see his Men Butcher'd in that manner fled away, and coming to *Milidunum*, a Castle seated in an Island of the River *Seine*, thence passed to *Paris*, his two Cousins following him, but not so fast, but that they took in a great part of the Cities belonging to him in their passage. They forced him to submit to terms very disadvantageous, giving him no time to breathe, nor well to consider what he did. For by this accord the Kingdom of *Theodorick* was inlarged, betwixt the *Loire* and the *Seine* as far as the very Ocean, and the limits of *Aremorica* or *Little Britain*. And betwixt the *Seine* and the River *Isara*, the entire Dukedom of *Deutelenus*, as far as the Sea, fell to the share of *Theodobert*, so that twelve Villages in those parts were onely remaining subject unto *Clotair*.

Clotair beaten by his two Cousins *Theodorick* and *Theodobert*.

Hic miserè moderni quidam Francorum Chronographi tempora & res Confundunt.

Milidunum seu potius Melidunum hodie Melun oppidum Carnutum Vastiniorum Vadicassium.

Isara, hodie Iser, Amnis Allobrogum utrorumque.

87. After this, the two Brothers subdued the *Wascons*, and set over them a Duke called *Genialis*, concerning which People, here we must make a little Enquiry. This the Reader is first to understand, that the *Wascons* or *Vascons* were anciently seated, where now is the Kingdom of *Navar*, than which yet their Countrey was more large and spacious; and under the name of *Vascones* the *Cantabrians* are, by reason of some Conquests the *Vascones* made in *Cantabria*, included; for whom the *French* called *Basques* and *Biscainers*, and the *Spaniards Vascongados* now, amongst Learned men, is a common Custome to call by the Latine Name of *Cantabri*, their Language being by the *French* called *Basque*, by the *Spaniards Vasquenze*, and *Cantabrica* in the Latin Dialect. In what State and Condition these *Vascones* lived before the coming of the *Carthaginians* into *Spain*, is utterly unknown, as indeed the General Condition of that Countrey, but that after the taking of *Saguntus*, in conjunction with *Hannibal* they invaded *Italy* and fought against the *Romans*, is evident from divers passages in *Silius Italicus*, who reckoning up the several sorts of People, that came with that Punick General, mentions them amongst the rest, and takes notice of them upon several occasions during that War. But this alliance with the *Carthaginians* seems not long to have continued, our *Vascons*, as well as the other Nations of the hithermost *Spain*, imbracing the Friendship and Society of the *Romans*, as may be gathered from *Livy*. And that their Faith once given they kept inviolable, notwithstanding all the other Nations of *Spain* almost Rebelled, no War being by them undertaken against the Commonwealth, onely in that betwixt *Sylla* and *Marius*, the *Calagurritani*, and not one other sort of People amongst the *Vascons* joyned with *Sertorius*, for whose sake they indured great Miseries, but could not be the least shaken in their fidelity. Therefore did they ever retain their Native Liberty; for no Colonies do we reade of that were sent into their Countrey, nor any of their Cities made subject to Tribute and Impositions, which were laid upon most of the Nations of *Spain*. And in this freedom without any alteration in any respect, did they continue down till the coming of the *Goths*, as may be made appear by several Testimonies. That their Valour was highly prized by the *Romans*, and made use of in long and difficult expeditions, appears from *Tacitus*, who relates, how in the War managed by *Vitellius* his Men against the *Britains* and *Germans*, the Leader of whom was *Civilis*, when the Enemy was in a fair way to become Conquerour, the *Romans* were reinforced and made Masters of the Field, by the gallant demeanour of the *Vascon* Cohorts.

The Original of the *Vascons* or *Wascons* or *Cantabri*.

Nec Carretani, quondam Tyrinthia Castra. Aut Vasco insuetus galeæ, ferre arma moratì, Lib. 2. *Vide eundem lib.* 5. *in narratione prælii contra Flaminium Consulem gesti, item, lib.* 9. *de pugna Cannensi, & lib.* 10. *de eadem pugna & Paulo Consule.*

Their Seats.

88. These *Vascons* lived in *Spain* beyond the *Pyrenæan* Mountains, which is agreed on all hands; but when they came into *Gall*, and when they seized on part of *Aquitain* is difficult to be determined. *Joseph Scaliger* was of opinion that the *Cantabri* and *Vascones* being overthrown by *Messala*, passed over the *Pyrenæans*, and placed themselves in the Seats of the *Tarbelli*; but *Strabo*, *Ptolemy* and *Pliny*, who all lived after *Messala*, place both these Nations in *Spain*, and neither of them in *Aquitain*, neither is there any other Authour that makes mention of any War betwixt them and *Messala*. *Tibullus* indeed celebrates the Triumphs which *Messala* had over the Inhabitants of *Aquitain*, but not a syllable is to be found in that place, concerning the *Cantabri* and *Vascones*. Some tell a story of *Pompey*, that having subdued the *Vascones* in *Spain*, and fearing the restless humour of this fierce People, he forced them to transplant themselves into that part of *Aquitain* where the *Convenæ* now inhabit

Lib. 1. *c.* 6. *Lellian. Auson.*

Lib. 1. *Eleg.* 8.

Sect. 3. inhabit, and thence was the name given to their City; but this opinion having none more ancient to patronize it, than *Isidorus Hispalensis*, and the current of all ancient Geography running against it, which after the time of *Pompey* finds the *Vascones* in *Iberia*, (or that part of *Spain* on this side *Iberus*,) and no such People in *Aquitain*, it is as obnoxious to exception as the other. As for that People of *Aquitain* called *Convenæ*, they derived their Original from the *Vectones Arrebaci*, and *Celtiberi*, Nations inhabiting the farther *Spain*, and not from the *Vascones* as *Isidore* believed, for so we are taught by St. *Hierome* in his Book against *Vigilantius*. Others more probably gather from *Ausonius* the Poet, that as long as till the Reign of *Gratian*, the *Vascones* contained themselves within their own bounds, and that that part of *Aquitain* which after they possessed, was then held by the *Tarbelli* the ancient Inhabitants, for * he in his Epistles to *Paulinus* both calls the Countrey *Arva Tarbellica*, and placeth the *Vascones* in a Countrey far differing from that there, both in situation and Custome, even in *Iberia*, or the *Pyrenæan* Mountains, which the answer of *Paulinus* to him doth sufficiently confirm.

The Original of the Convenæ.

C. 2. *Unde & Convenarum nomen accepit. Hoc usque latrocinetur contra ecclesiam Dei & de Vectonibus Arrebacis Celtiberisque degt. cendens incursit Galliarum ecclesias, &c.*

* *Vide Ausonii Epist. 23. & 25. & proxima Paulini Carmina Ausonio respondentia.*

89. But after the Death of *Gratian*, the *Roman* Empire mightily declining even to Ruine in *Gall* and *Spain*, and especially the Coasts about the *Pyrenæans*, being wasted by the *Alans*, *Vandals*, *Suevi* and other barbarous Nations, then might our *Vascons* a Warlike People, and ambitious of inlarging their Bounds, seize on that Mountainous part of *Gall*, which adjoyns to the *Pyrenæans*. But by what degrees, and in what method and manner it's very difficult, if not impossible for any to assert, we may conjecture with others, that besides that Region which the *Basques* or *Biscainers* hold at this day, the Principality of *Bearne*, and the County of the *Bigerrians* were now taken and held by them, for this very reason, that at this day are to be seen the Ruines of old Towers, in those Mountainous tracts, disposed as our Beacons one against another, to receive and give warning by Fire upon any Invasion. But the plain Grounds together with the fortified Towns, as *Lapardum* now *Baion*, *Benearn* or *Orthes*, which gave name to the Principality; *Bigorra* of old the Metropolis of the Countrey, and now a Village, and *Convenæ* now St. *Bertrand* were yet under the Dominion of the Kings of the *Franks*, as may be understood from several places of *Gregory Turonensis*. Thence came it to pass, that so Mountainous and barren a place not being able to maintain so numerous a People, they were constrained to make several Inrodes into *Novempopulania*, which was then also subject to the Dominion of the *Franks*. Hereof *Gregory Turonensis* assures us, where he writes that the *Vascones* descending from the Mountains, depopulated the Fields and Vineyards, burnt the Houses, and led some Men and Cattel away with them, to incounter whom *Astronaldus* the Duke was sent, but was able to doe little against them. * *Venantius Fortunatus* also after his manner hints to us the Incursions they were wont to make. But before this expedition of *Astronaldus*, we find in *Gregory* that *Blandastes* by Command of *Chilperick* the first, made War upon them, but with such success, that having done nothing of moment he lost his Life, together with the greatest part of the Army. These Events shewed that this Strenuous and Magnanimous People was not to be overcome, but by the power of two Kings in conjunction together. *Theodorick* and *Theodobert* having overthrown *Clotair*, and become Masters of the greatest part of *Gall*, especially of *Aquitain* they were unable to resist their Power and Majesty, and so were forced to submit and accept of a Duke called *Genialis*. How afterward they shook off the Yoke and invaded and made themselves Masters of *Novempopulania*, which from them received the name of *Gascoigne*, as also concerning the places they left, we shall speak upon a fitter occasion.

Bigerrionum vel Bigerronum.

Vide Notitiam utriusque Vasconiæ scriptam ab Arnaldo Oihenarto Mauleonensi, & Philippum Monetum Jesuitam in Geograph. Galliæ Aquitanicæ.

Lib. 9. c. 7.

* *Cantaber ut timeat, Vasco Vagus arma timescat. Atque Pyrenæa deserat Alpis opem.* Lib. 10. c. 22.

The *Vascons* subdued.

Lib. 6. c. 12. & *Fredegarius in Hist. Franc. Epitom. c. 87.*

Hujus cap. §. 2. paragr. 14, &c.

90. The two Brothers having this success against the *Vascons*, farther strengthned their interest by a stricter League and Alliance with the *Lombards*, the Daughter of *Theodobert* being contracted to their King's Son, and so Peace and Prosperity now seemed to be returned to the *Franks*. But all things were again put out of order by the wicked practices of *Brunechild*, who being as we said expelled the Court of *Theodobert*, was kindly entertained by *Theodorick* her other Grandson, and now began to play her Pranks more dangerously and with greater success. Being vitiously inclined her self, she hated and opposed all about him that were vertuously given, *Egila* a Patritian, a man of great Integrity and excellent parts, for no other fault but because he was rich, she loaded with grievous Complaints, and caused to be put to Death, and his Estate confiscated. *Desiderius* Bishop of *Vienne*, a Prelate eminent for Holiness, she procured to be removed from his See, and, one *Dommilus* being put into his place, to be recalled out of Exile and cruelly Murthered,

Brunechild's Villanies.

red. He that stood most in her way was *Bertoald* the Major of the Palace, a person of great Wisedom, Conduct, Fortitude and Fidelity, whom though she endeavoured to remove, yet armed by his Innocence and Prudence, for a time he withstood all her Assaults, till a furious lustfull passion seized on her, which rendered her so fierce and violent, that he must needs at length give way and perish. There was one *Protadius* a *Roman* by Birth, with whom as old as she was, she was wont to be too familiar, and out of her filthy love to him, had already advanced to the dignity of a *Dux* or Patritian, in the parts that lay beyond the Mountain *Jura*. But thinking this too small Preferment for her Minion, as she burnt with Lust towards him, so with greater Envy and Malice toward *Bertoald*, whom she must now by one means or other send to another World, that in this *Protadius* might enjoy his place and Dignity; and for this purpose, she had the impudence to move her Nephew that he might be put to Death, upon slight and trivial pretences. *Theodorick* whether to gratifie her in her humour, in such a way as the Vulgar could not discover, or to divert her purpose, sent *Bertoald* away into *Neustria*, or that part of it which called him Master, to protect the Countrey, but with so small a Power, as if he intended he should want protection himself, for he allowed him no more than three hundred men. He as fortified against the Event, and sensible for what Encounters such an Army was most proper, spent his time in the Hunting of wild Beasts, which *Clotair* understanding, and hearing what numbers of men he had with him, imagined, as well he might, that he was come to affront him upon the Borders.

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Et ob id in pago Ultra jurano, post Wandalmarum, ab ea Duce constitutus. Sic Aimoinus, lib. 3. c. 50. at vero Author Appendic. ad Gregor. Hist. hoc modo: Defuncto Wandalmaro duce in Pago ultra Jurassum & Scotingorum Protadius patritius ordinatur, instigatione Brunechildis & Pagus hoc in loco idem est ac Decanatus. Pagus Comitatus Gallicè Pays & Comté dividebatur in Vicariat, Centenas & Decanias, in quibus Judices erant Vicarii, Centenarii (Belgis Hendersteman) & Decani. Sed de his alibi.

91. He dispatches against him his Son *Meroneus*, together with *Lauderick* his Mothers Minion, of whose Villany as to his reputed Father's Death, he seems all this while to have been Ignorant, or else must have spared him out of a more than ordinary, (if not filial) sympathy. *Bertoald* was so wise as upon notice of their approach, to leave off his Sport and seriously to betake himself to *Orleance*, where he was kindly received by *Austronus* the Bishop. *Lauderick* diligently pursues and brings his Army before the Gate, where he upbraids him with Cowardise for running away, and challenges him to come out and Fight. *Bertoald* sends him word, that he made an hypocritical shew of Valour, knowing how much he was superiour in Numbers, but if he would demonstrate himself a true Cavalier, he should set his Army aside and fight with him a single Combat, to which he sent him a formal Challenge. *Lauderick* refusing to accept it, he then gave him to understand, that for the affront and injury he had offered to *Theodorick* his Master, in invading his Dominions, he was very certain that satisfaction would be demanded in an high manner, and that a strong Army would shortly be in the Field, where when the Battel joyned he would meet him, desiring they might put on such Clothes, as might distinguish them, and make them known to each other, and then he should find proofs of the Cowardise wherewith he charged him, and have opportunity to give a full evidence of his own supposed Valour. *Lauderick* would not reject this Proposal, and promising to meet him, both laid heavy curses on themselves if they failed of their word. This passed on the Feast of St. *Martin*, and *Theodorick* having notice of the Invasion, on *Christmas*-day following began his March, and coming to *Stampa*, a Town standing upon the River *Jumna*, there expected his Cousin *Clotair*, who was nothing slow in his preparations for the Encounter, for before *Theodorick* could pass all his men over the River, the fight began. Here was *Bertoald* mindfull of his promise, and amongst the Ranks of Armed men, fought for, and provoked his Adversary to make good his word, but he thought fit to save one, and by degrees giving back into the Rere, declined the Combat. *Bertoald* inraged hereat still bore forward, and considering what Ginns were laid to intrap him by *Brunechild*, and that he must loose his Office, thought it better to Die an Honourable Death in the Field, than to end his Life in an ignominious manner, and so rushing amongst the Troops of the Enemy, after he had killed many men, was at length overpowred by multitudes and slain. But *Theodorick* got the day, *Clotair* and *Lauderick* being put to flight, and *Meroneus* taken Prisoner, or as some say killed. He entred *Paris* in triumph, and had pursued his Victory, but that *Theodobert* being jealous of his Power, thought fit to balance him, and therefore joyning his Forces with the remainders of *Clotair* his Army, came with him to *Compendium*, and obliged his Brother to return home, without having any thing farther attempted.

Junna seu potius Fuinaflurius Cavnutum Vadicassorum Parisiorum (hodie Jusne) Salliociatum seu Stampas (hodie Estampes) oppidum interfluit medium atque ad Metiosedum oppidum, seu Josseldum vel Corbilium, ad meridiem Sequana (nunc Seine) influitur.

Clotair beaten again by Theodorick.

92. *Brune-*

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92. *Brunechild* therefore in effect was the onely Perſon, whoſe Deſigns ſucceeded by the Death of *Bertoald*, into whoſe place of Maſter of the Palace, or *Major Domus*, *Protadius* her Gallant was ſpeedily advanced, in the tenth year of *Theodorick* his Reign. This yet would not ſatisfie this wicked Woman, whoſe paſſions would not be terminated by the ſatisfaction given to Ambition and Luſt, to theſe ſhe muſt joyn Revenge, elſe all things ſeemed to be nothing to her. Her expulſion from the Court of *Theodobert* ſhe ſtill bore in an exulcerated mind, and no Plaſter was large enough for the Sore, but the utter Deſtruction of himſelf and Family. Calling in then to her aſſiſtence her Friend *Protadius*, (whom ſhe had by her tricks brought into great grace and favour with her Nephew, though for his Pride and Coveteouſneſs, he was grievouſly hated by all the Nobility of *Burgundy*;) ſhe inſtilled by degrees the venome of Jealouſie and Malice into the mind of *Theodorick*: She tells him that *Theodobert* had got into his hands all their Father's Treaſure, and that it was a diſhonour for him to be ſo ſleepiſh, as to let him run away with it all, without once demanding his ſhare; ſhe perſwades him he was altogether alienated from him in his affections, and (taking occaſion of what had lately paſſed,) makes him believe that all his inclinations are for their Couſin *Clotair*, in ſum, that he envied him for his parts, (conſcious to himſelf how meanly he was furniſhed,) and had reſolved upon his Ruine, as ſoon as time and opportunity ſhould ſerve, but it was no wonder for one of the bloud Royal to be hated by the Son of a raſcally Gardner, who had not onely robbed him of his Father's Treaſures, but gaped alſo after his two Kingdoms. *Protadius* ſupplying this flame continually with Oil, *Theodorick* burns with that rage and malice againſt his Brother, that nothing but Fire and Sword in the Bowels of his Territories can allay his fury. An Army he raiſes and comes as far as *Cariacum*, where he incamps himſelf, prepared the next day to incounter *Theodobert*, who was not far off with a very ſtrong force of his *Auſtraſians*. In the mean time, his *Leudi* or *Leudes* as our ancienter Hiſtorians call them, meaning his Subjects or the Nobility of *Burgundy*, remonſtrated to him how unnatural a quarrel he had undertaken, at the ſuggeſtion of ſome violent Spirits, and petitioned him, that in a friendly manner it might be compoſed. *Protadius* finding himſelf concerned took the wrong Courſe, and diſſwaded him from making a Peace, affirming the quarrel to be good, and a War the fitteſt means for reſtoring a perfect underſtanding betwixt the two Brothers.

Aſſerius illum nun Childeberti ſed cujuſdam baſtardi filium fuiſſe. Aimoinus, lib. 3. c. 91.

Theodorick and *Theodobert* quarrel.

93. The Nobility bearing him implacable malice before, was now out of all meaſure inraged, finding him to be the man, who upon all occaſions thwarted what ever they propounded for the publick good, and they began to lay their Heads together, affirming it were better that one man periſhed, than that ſo many ſhould loſe their lives as muſt inevitably be killed the day following. The King underſtanding they held ſuch conſultations would himſelf in Perſon have gone to diſſolve their meeting, but being hindred by thoſe about him, for fear of danger he ſent one *Uncelenus* to forbid them expreſly to attempt any thing againſt *Protadius*, but he found them already to have ſurrounded the King's Tent, where *Protadius* was playing at Tables with one *Peter*, a Phyſician. Coming to them he changed his tale, and ſaid it was the Command of King *Theodorick* his Maſter, that *Protadius*, as an Enemy to Peace, ſhould be put to death, which heard, they all unanimouſly ruſhed in with their Swords drawn, and there ſlew him. By this Act (though illegal, and of dangerous conſequence) the impending miſchief was diverted, and *Theodorick* was compelled inſtead of a War, to make a Peace, and to return home, as he came, without having any thing performed. But however he bore it out, *Brunechild* neither could nor would digeſt the Injury. Beginning with *Uncelenus*, who had prevaricated away the Life of her Friend, ſhe procured him to have one of his Feet chopped off, and to be reduced to the condition of a Beggar. *Wolfus*, a Patritian, who had been a principal Agent in the Murther, ſhe alſo, by command of *Theodorick* cauſed to be killed, reſerving *Theodobert* to a more convenient ſeaſon. And the late defeat ſhe had received in the death of her Minion, did but incite her to other Acts for the Eſtabliſhment of her threatned and tottering Power. All this while *Theodorick* lived moſt unchriſtianly in Whoredom, having no lawfull Wife, but gratifying his Luſt by ſuch Imbracements as were moſt pleaſing to him, and by ſuch unlawfull Copulations had got four Sons. At length he bethought himſelf what infamy he incurred, and how uncertain the ſucceſſion might be for want of Legitimate Iſſue, he caſt his thoughts then on *Hermenberga*, the Daughter of *Bertrick* King of *Spain*, and ſent his Ambaſſadours to deſire her in Marriage, giving Oath that he would never deprive her of the Society of his Bed, nor of the Royal Dignity.

Which concludes in a Peace.

Theodorick Marries.

94. Upon

94. Upon this Condition *Bertrick* ſends her with a Portion ſuitable to her Quality, and *Theodorick* receives her with as much Love and Reſpect, as becomes a Royal Bridegroom. But his Grandmother was far from wiſhing them Joy, for though to bring her ſelf into a better Opinion with the People, ſhe might ſeem to have Conſented, nay propounded the Match, yet now ſhe found her ſelf in danger of a Rival, who by her Royal condition, the Beauty of her Perſon, and her conjugal Alurements might make her Husband totally her own, and exclude her from that Domination. Of which his Reverence to her Perſon, as a near (but neither ſo near, nor dear) Relation had poſſeſſed her. She goes to worſe, and by her Inchantments ſhe effects that, how much ſoever he deſired it, he could never enjoy his Bride; and this bringing him into ſome diſlike with her, ſhe follows him cloſe, cauſes him to diſcard her, for I wot not what Womaniſh impotency, and to ſend her back to her Father without her Portion. *Bertrick* finding himſelf concerned no otherwiſe, than as Nature and Reaſon required; proteſted to the World his Reſentment of ſo foul an Injury, and ſent to *Clotair* to complain of the affront, and invite him to joyn in a League with him for Chaſtiſing a Prince, who had no regard either to Conſcience or *Decorum*, and doubtleſs, would as little ſcruple to commit any other piece of Injuſtice againſt the reſt of his Neighbours, when he ſhould be tempted to it, by any thing that gratified his Luſt or Appetite. *Clotair* entred into the League, and promiſing him Aſſiſtence, ſent ſome of his own with his Ambaſſadour to the Court of *Theodobert*; who moved with the ſame Arguments entred into League, as alſo did *Ago* King of the *Lombards*, who when he had given his Faith, that he would joyn his Forces for depriving *Theodorick* both of Life and Kingdom; the Ambaſſadour, having diſpatched as he thought all effectually, for which he was ſent, returned by Sea into *Spain*. But Alliances of this Nature made for Puniſhment of a fault, which redounds to the Detriment but of one of the Parties, and elſe carries onely ill Example with it, ſeldom take Effect; and *Theodorick* accordingly ſlighted this, as a Scar-crow, the King of *Spain* dying not long after.

95. Yet had this League ſuch Effect upon *Theodobert*, as to incourage him to ripen ſome Deſigns he had in his Head, though thereby he extremely ſerved his Grandmother in the Machinations, ſhe laid for his own Deſtruction. Thinking himſelf ſecure of thoſe that would back him, he complained of a moſt unequal Diviſion of his Father's Dominions, and required that a New and more equal Partition might be made. The matter proceeded to that height, that had not ſome of the wiſeſt on both ſides moſt diligently interpoſed, all had been ſuddenly in a Flame; but they procured both Kings to hold their hands, and agree to come to an Interview at a place appointed, for a fair and Friendly deciding of the Controverſie. *Theodorick* came with ten thouſand Men, with pure and ſimple Intenſions, altogether free from Deſign and Treachery; but *Theodobert* brought with him a far greater number, wherewith having incompaſſed and caught his Brother as in a Net, he forced him to ſubmit to ſuch terms as he himſelf propounded: Theſe were to quit ſeveral Provinces, as that of *Champaigne*, *Tours*, *Artois*, and that which in the days of *Aimoinus* had the Name of *Sugitenſis*, and ſo they parted with ſeeming Love and Friendſhip, though covered by deep flattery and Diſſimulation. For *Theodorick* being got out of his Brother's hands, and coming ſeriouſly to ruminate upon what he had, was ſo inflamed with deſire of Revenge, that he renounced the Agreement as wreſted from him by force and Terrour, and ſet himſelf ſeriouſly how to Revenge the affront; *Brunechild* ever being at hand, and ſpurring him on to that, to which of his own Diſpoſition he was ſufficiently inclined. In the mean time, *Theodobert* by an Act full of wickedneſs, provoked the hatred of God and Man againſt him, and made way for that Deſtiny, which was but ſutable to his Actions.

Another difference betwixt them.

96. He had to Wife one *Bilechilde*, a Woman indeed much inferiour to him in Birth and Quality, for his Grandmother, while ſhe reſided in his Court, bought her of certain Merchants, and for the rareneſs of her Beauty as ſhe made him believe, but indeed that ſhe might have none to controll her, this Woman by reaſon of the Obligation being wholly at her Devotion, married her to him. By her he had ſeveral Children, but falling in Love with another called *Theudechilde*, he Murthered her to be in a Capacity to marry his new Miſtreſs. But long he had not reaped the Pleaſures of this new Conjunction, when he was diverted by the noiſe of his Brother's Arms, and forced to exchange the Combats of *Venus* for thoſe of *Mars*. Their Couſin *Clotair* was ſo near a Neighbour, and of ſuch Power, that to which

ſide

Sect. 3. side soever he would please to incline, in all Probability he should bring the Victory. *Theodorick* therefore, resolving not to miss the advantage thence offered, sent to him, and by a promise of restoring to him the Dukedom of *Deutelenus*, which as he said, *Theodobert* detained unjustly from him; he persuaded him to stand Neuter. He mustred then all his Subjects that were very fit to bear Arms, in the month of *May*, and the seventeenth year of his Reign, and from the *Lingones* coming through *Vernona*, to a place called *Tullum*, in the County adjoyning he met with his Brother, and they joyned Battel. *Theodobert* was beaten, but escaping with his Life, fled to *Coloine* upon the *Rhine* with intension to renew the War, and hopes of better Success in the next Ingagement, for which he provided himself of fresh supply of *Saxons*, and other Nations of the upper *Germany*. *Theodorick* aware hereof, made what haste he could after him, and disdaining he should prevent him from reaping the Fruits of his late Victory, fell upon him with all Fury imaginable. Yet he used such diligence, as that he was not ill provided to receive him; and another Battel was fought with equal Valour and Animosity. Our Authours report, that so great was the Croud through the Pertinacious resolution of the Combatants, that such Troopers as were killed sate upon their Horses, no otherwise than as Men alive, being kept up so as they could not fall. But *Theodobert* was so unfortunate as to loose this day also, and fled again to *Coloine*, his Brother pursuing him with resolution, that now he would not be hindred from finishing the War. Entring the Territories of the *Ripuarii* that lay upon the *Rhine*, he destroyed all things in his way, and refused to give over till they should bring *Theodobert* to him, either alive or dead.

Wherein *Theodobert* is twice beaten by his Brother.

In Campania Tolosæ adversus fratrem congressus. Aimoin. lib. 3. c. 97. Tullum hodie appellatum est Leucorum Metellæ oppositum. Lingones sunt hodie les Langrois qui ad Ortum determinantur Mosa fluvio & affluentibus ipsi Campanis Regionibus, tenuiore jam Matronam fomita prementibus Mediomatricis seu Lotarenis.

97. This perfidious People, thinking the Price not too great wherewith to purchase their Security, send some into *Coloine* to *Theodobert*. The Messengers make great Complaints of the Miseries they had undergone by such Devastations, Rapines and Murthers, as never had formerly been committed. They tell him a formal story, that his Brother complained of the defrauding him of his share of his Father's Treasures, which if he might but receive, he would be Friends with him, and remand his Forces. *Theodobert* considering his present Estate and Condition, was glad he could come off so well, and giving them Credit carried them into his Treasury, where he busied himself in searching and Collecting such things as he intended to Present the Conquerour, which as he was doing, and bowed down his Head, one of them drew his Sword and slew him. His Head was cut off, and shewed about upon the Walls, which done, *Theodorick* was received into the Town without any impediment, and in the Church of St. *Gerion* took the Oath of Allegiance of the Inhabitants. As he was doing this, he thought that some Body struck him on his side, and knowing the treacherous Humour of the *Ripuarii*, commanded the Doors to be shut, and a strict inquiry to be made after him that did it. But upon search no suspicious Person could be found, and his Clothes being removed, no Wound was there to be seen, onely a Purple spot appeared, as *Aimoinus* guesseth the sign of his Death, which speedily followed; with the Treasures, and Children of his Brother he returned in Triumph to *Metz*, where his Grandmother *Brunechild* found him, and congratulated with him for his Victory. To make the Triumph complete, she would have him put to Death his Prisoners. And she prevailed for the Sons of *Theodobert*, whereof the youngest *Meroneus* by Name an Infant that sucked, she her self took by the Heels, and dashed out his Brains against a stone; but his Daughter escaped, for which she was not to thank her Grandmother, but attribute her Life to the rare Beauty of her Person. And such was the end of *Theodobert* according to the general Opinion; though some wrote, that after his defeat he retired beyond the *Rhine*, where he was apprehended by *Bertarius* the Chamberlain of *Theodorick*, who had sent him to make the discovery, and confined to *Cabillona*. Here some add, that *Brunechild* caused him to be made a Monk, and that he was afterward put to Death.

Theodobert kill'd.

98. By Virtue of the late Agreement, *Clotarius* was now to stand possessed of the Dukedom of *Deutelenus*, and he accordingly got Possession of it. But *Theodorick* having as he thought done his business, and elevated with his Success, and the Accession of his Kingdom of *Austrasia*, began to grudge not onely that he enjoyed that Dukedom, but indeed any thing else in *Gall*; and resolving to pick a Quarrel with *Mennaces*, required him to quit what he had newly got into his hands. So great was his Ambition, that no moderate or ordinary Matter could divert him; but a certain Fire had of late begun to kindle in his Breast, which by indulging and continually Ventilating, within a little time grew to that strength, as to consume and obliterate

Theodorick seizes on his Kingdom.

obliterate all other Passions. He fell grievously in Love with the beautifull Daughter of *Theodobert*, but was so honest withall, as to design the Satisfaction of his Desires, no other way than by that of Marriage. *Brunechild* was wonderfully concerned at it, and sensible in what danger her domineering Authority stood, used all the Arts and Devices she could to hinder it, and at last, as her utmost refuge declamed against it, as a most wicked and Incestuous Copulation of an Uncle with his Brother's Daughter. He grew to such impatience upon hearing this, that calling her a Woman hatefull to God and all good Men, he demanded whether she had not told him that *Theodobert* was not his Brother, and why she had caused him to commit so great a Crime as that of Fratricide? And he was so far transported as to draw his Sword and make at her, but she was saved by those that stood by, and conveyed to some place out of the House, where thinking it time to bestir her self, she resolved to kill rather than be killed. It's certain, that shortly after he died, being as was generally believed, taken with a Dysentery. It was said by some, and thought by most, that she hired his Attendants to poison him in a Cup of Drink, when he came out of the Bath. Others reported, that he perished with Thunder; that Breast being pierced by Fire, which already burnt with Ambition, Lust and Cruelty. He married *Heronneberta* the ninth Daughter of *Berterius*, or *Terius* King of the *Visto Goths*, by whom he seems to have had no Children at least that lived, but by Concubines he had four Sons, *Sigebert*, *Chorbus*, *Childebert* and *Meroneus*. He died in the eighteenth Year of his Reign, about the seventh Year of *Heraclius* the Emperour, *A. D.* 618.

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Jonas Abbas in vita Sancti Columbani, c. 28.

Theodorick dies.

99. *Brunechild* now thought her Condition as secure as ever, not doubting but to Domineer as she had done formerly, in the Minority of *Theodorick* his Children. *Sigebert* the eldest she named King, but her Trade could not always hold, this was the third time she had Usurped the supreme Power. The Nobility could ill brook the Domination of these, whom all knew to be Bastards, and they were quite tired out with her Cruelties and Insolence. Two of the chiefest of them, *Arnulph* and *Pipin*, began now to hold Intelligence with *Clotair*, and they prevailed with him, to come as far as to *Captoniacum*. *Brunechild* hearing the News was sufficiently alarmed, and lying then at *Wormes*, sent to him to expostulate his Invasion of the Dominions of King *Sigebert*. He answered, that he would doe nothing, but what the Nobility of the *Franks* assembled together should approve, and promised to stand to their Determinations, for which purpose he willed her to call them together. She was too old and cunning to be lulled asleep by fair Words, and therefore to provide against the worst, she sent *Sigebert* into *Thoringia*, attended by *Warnarius* the Major of the Palace, and *Alboinus* most eminent for Nobility of all the *Austrasians*, to hire Souldiers from amongst the Nations, inhabiting beyond the *Rhine*. But not long after their departure, she imagined she had reason to believe that *Warnarius* was secretly inclined toward *Clotair*, and out of Jealousie sent a Letter after them to *Alboinus*, wherein she desired him, to take some fitting opportunity to make him away. *Alboinus* having read the Letter, tore it in pieces, but did not so much deface it, but that one of his Servants out of Curiosity gathered the pieces together, and perceiving the Contents, therewith acquainted him, who was most concerned. *Warnarius* perceiving the danger he was in, was very carefull to secure his Person in the first place. Then resolving to use his utmost endeavour for the Destruction of *Brunechild* and her Race; those Nations he went to solicite about succours, he quite alienated from the Service. After this, going with her and *Sigebert* into *Burgundy*, he held private Caballs with the Nobility and Prelates, into whom he sufficiently instilled the Doctrine of Revolt. Then sent he to *Clotair*, to come with an Army, promising on Condition to be maintained in his former Estate and Dignity, to deliver the two Kingdoms of the *Austrasians* and *Burgundians* into his hands.

Sigebert his Son King of *Austrasia* and *Burgundy*.

100. *Clotair* was not slack in his endeavours, to become sole Lord and Master of *Gall*, and with his *Neustrasians* as *Aimoinus* calls them, met *Sigebert* and offered him Battel, in *Champaigne* near the River *Axona*, or *Aisne*; where when the Armies faced each other, *Warnarius* according to former Agreement with the greatest part of the Army revolted to him. The rest ran away as far as the River *Araris*, (*Clotair* being not eager after the persuit of those he now looked on as his own Subjects) which putting a stop to their flight, three of *Theodorick* his Sons were there taken, *viz. Sigebert*, *Chorbus* and *Meroneus*, for the fourth *Childebert* by Name escaped, and was never after heard of: With them he returned to a Village called *Sion*, upon the River *Vincenna*, whither at the Instance of *Warnarius* and the other Great

In Campania Catalaunensi super fluvium Axonam.

Ad Araxim usque fluvium (qui nunc Ragonna dicitur) pervenit.

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ones, *Brunechild* and *Theudelina* the Sister of *Theodorick* were sent for. In her sight he commanded *Sigebert* and *Chorbus* to be killed, sparing *Meroneus*, because he was his God-son; then *Brunechild* her self being condemned by Sentence of the whole Army, as well *Burgundians* and *Austrasians*, as those that came out of *Neustria*, was for three days together subjected to various Tortures, and then set upon a Camels back, and so carried in derision like a Witch up and down the Camp. At last, having ripped up her Life past, he laid to her Charge, that she had procured the Death of no less than ten Kings, reckoning up her own Husband *Sigebert*, *Meroneus* the Brother of *Clotair*, and Son of *Chilperick*, with *Chilperick* himself, whom misinformed it seems, as to the true state of his Family, or willing to conceal the Villanies of his own Mother, he affirmed to have perished by her Devices. Having summed up her Crimes, he demanded of the Souldiers, what Punishment was fit for her to undergoe. All cryed, that some one unheard-of was but suitable to her Deserts: Whereupon he commanded a wild Horse to be brought, to whose Tail the miserable Woman was made fast by her Hair and Armes, and then was the Horse let loose and provoked to take his Heels, wherewith having first dashed out her Brains, he drew her Carkass over Thorns, Stones, Hills and Dales, till it was dashed and all torn in pieces. Such pieces yet as could be found were gathered together, and buried in a Church at *Augustodunum*, or *Autun* of her own founding.

Sigebert is overthrown and killed by *Clotair* with *Brunechild*.

101. Such was the end of this wicked and miserable Woman, not too severe, if we fully consider the merits of her Life and Actions. Yet together with her prodigious Vices, were great Vertues joyned as some esteem them, and these were Magnificence and Devotion, which appeared in the Religious respect she gave to Saints, and the very many Churches she built, and dedicated to their Memory. *Aimoinus* tells us, that the *Fabricks* which she raised and remained till his time were so numerous, that it seemed incredible, that one Woman should build so many, not onely in *Austrasia* and *Burgundy* where she Reigned, but in so many several parts of *France* at great distances. In our days these possibly may be decayed, yet in the Low Countries there still remain some Monuments of her Manly Spirit. These were the Military High-ways of the *Romans*, which through *Gallia Belgica* and *Burgundy* she caused to be repaired, being by the *Gallo Belgæ* still after her called *Chaussees de Brunehault*, by the *Flandro Beligæ*, *Groote Cassitie* (in English *Great Cawseys*) and by the Modern *Franks Chemins ferrez* in their several Dialects. Now the Reader may take notice, that these *Roman* Cawses, or High-ways, were first in *Gall* begun, to be made by *Agrippa* the Son-in-Law of the Emperour *Augustus*, who caused four to be raised and paved, one from *Lugdunum Segusianorum* (*Lyon sur Saone*) leading toward *Spain*, through *Aquitain*; another toward the *Rhine*; a third through the Countries of the *Bellonaci*, and *Ambiani* to the Ocean, and a fourth through *Gallia Narbonensis*, extending it self towards *Italy*. Afterward other Emperours, and *Roman* Captains applied their minds, and the Hands of their idle Legions to this work, and through *Gallia Belgica*, caused other High-streets to be raised; being either paved with four-square Stones, or strewed with Gravel or small Flints. Of these ways, the remainders of several are to be seen in many places throughout *Hainault*, *Artois*, *Flanders*, *Brabant*, *Loraine*, *Champaigne*, *Picardy*, in the Countries belonging to *Luxenbourg*, *Leige*, *Cleeve*, *Juliers*, *Coloine*, *Triers*, *Mentz* and others, the structure whereof strike all lookers on with Admiration. From *Banacum* (now *Mons ex Hainault*) the *Rome* of *Belgium*, where in the middle of the *Forum* was erected a Column, as anciently in that and other Cities, at the beginning or end of Miles, eight of these several Cawseys took their beginning or Centre. But these and the rest being by length of time decayed, and by the Irruption of Barbarians into *Gall* neglected, did *Brunechild* the Queen Regent of *Austrasia* and *Burgundy*, repair as we said before, whereby her Memory, however her Body was used, remains whole and entire, they being by Learned men in the Latin Tongue still called *viæ Brunechildicæ*, and by the *Burgundians* and others, *Chaussees de Brunehault*.

Brunechild's Buildings.

De viis istis Militaribus Banacensibus consule Aubertum Miræum in Chron. Belgico ad A. 613. de reliquis vero per Ariesiam, Flandriam aliasque Provincias Vicinas ducentibus Tpum Gallia Belgica vetera, Antuerpiæ, An. 1633. Cura ejusdem Miræi accuratissima.

102. But so fell the Family of *Sigebert* with *Brunechild* his Wife, and *Austrasia* with *Burgundy* were united to the Dominions of *Clotair*. Here we find our selves obliged for the better understanding of the Reader, to tell him what we particularly mean by the so often repeated Word of *Austrasia*. He must know then, that the Victorious *Franks* having wrested a great part of *Gall* out of the hands of the *Romans*, divided it into *Austrasia* and *Neustria*. *Austrasia* (by St. *Remigius* in his Testament called *Austria*) reached from the Borders of *Burgundy*, as far as the *Frisian* Sea inclosed by the Rivers *Rhine*, *Meuse* and *Schelde*. Therefore

Austrasia what.

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Therefore it comprized the several Countries of the *Mediomatrices*, *Treveri* and *Ubii*, those about *Mentz*, *Cleeve*, *Gelderland*, *Brabant*, *Hainault*, *Holland*, *Zealand*, *Hasburg*, the *Eburones* and *Tungri*, the Dukedoms of *Lauenbourg* and *Luxembourg*, with *Alsatia*, *Loraine*, the *Palatinate* of the *Rhine*, *Burgundy* and *Ardenne*; the *Metropolis* being the City of the *Mediomatrices*, afterward called *Metz*. Now *Neustria*, or *Westrasia* being the Western Kingdom of the *Franks* in *Gall*, as the other the Eastern, comprized *Flanders*, *Artois*, *Picardy*, the County of *Boloigne*, *Normandy*, and all other Countries lying betwixt the *Scheide*, the *Seine*, and the *Loiere*, the *Metropolis* being *Paris*; so that they mightily err, who would restrain this ample Kingdom within the narrow bounds of single *Normandy*. But of *Austrasia*, the first King as we have formerly seen was *Theodorick* the natural Son of *Clodonæus* the Great, to whom succeeded his Son *Theodobert*, as to him *Theodebald* his Son. *Theodebald* dying without issue, *Clotair*, the Legitimate Son of *Meroneus*, held *Austrasia* with his other Kingdoms. Afterwards a Partition of his Dominions being made amongst *Clotair* his Children, it fell to *Sigebert*, who by *Brunechild* had *Childebert*, and left him his Successour. He left two Sons *Theodobert* and *Theodorick*, whereof the later outed the former; but leaving no Legitimate issue, *Sigebert*'s natural Son was, as we see, deprived both of Life and Kingdom by *Clotair* the second, the Son of *Chilperick*, who hereby obtained the Monarchy of the *Franks*. Afterward *Austrasia* had other Kings, as in due place may be discovered; and then as time altereth all things, this Kingdom exchanged the Name of *Austrasia*, for that of *Lotharingia* or *Loraine*, which it received from *Lotharius* the Son of the Emperour *Lotharius* the first, whom it had for King, as after him many others in Order, and at length exchanged Kings for Dukes, the Title of whom, though not the extent of the Dominion, at this day continueth.

A Catalogue of the Kings of *Austrasia*.

Clotair sole Monarch of the *Franks*.

103. So many Kings of the *Franks*, who had Reigned for the space of about fifty Years, perishing in several manners; *Clotair* now remained the sole and Legitimate Inheritour of all their Kingdoms and Dominions. Having got so great a Charge, and so heavy a Burthen upon his Head (so good Kings really esteem their Crowns) he provided himself of the best Supporters he could find, and first having had good experience of the Abilities of *Warnarius* by his Conduct of the late great Revolution, which he had effected without any considerable expence of Bloud, Treasure or Time, he made him *Major Domus*, or Governour of *Burgundy* for Life, ingaging by Oath that he would never remove him. Over *Austrasia* he set *Rado*, a Person of great Desert, and one *Erpo* over the *Ultrajurani*, who by his Love of Justice became insupportable to the Rabble, and was killed through the Instigation of *Aletheus* a Patritian, and *Leudemund* the Bishop of *Sedunum* (or rather *Segodunum*, at this day *Rhodes*.) The King happening at this time to lye not far off, caused a strict Inquisition to be made of the Murther, and punished many that were found Guilty, and the process went so far that *Aletheus* apprehending that now all must be discovered, advised *Leudemund* to try if he could prevent it by a Trick wrought upon *Berthtrude* the Queen. The Bishop tells her a Tale of a Revelation he had, that *Clotair* must infallably dye this Year; he would make her believe, that her Affairs stood in a dangerous Condition, and that there was no way to provide sufficiently for her self, but by retiring with her Treasures to some strong Town, and chusing some Person eminent for Nobility, and Interest in the People wherewith to marry; and to make Application of his Ghostly discourse, he tells her, *Sedunum* his City was the fittest place, and *Aletheus* that Noble *Burgundian*, the most proper Person. The Queen, who was eminent for her Modesty and other Vertues, heard him with great Indignation, and starting from him as some dangerous infecting Person discovered the whole Matter to her Husband, who spared the Bishop out of Respect to his calling, and at the Intercession of a certain Abbat, permitting him to return to his See. But *Aletheus* he Commanded to be tryed by the Nobility, and being able to say little for himself to be put to Death.

Settles his Kingdom.

Aimoinus, lib. 4. c. 1.

Ultrajurani qui Ultra guram habitabant. Jura autem sive Jurassus Mons est Sequanorum veteri Celtico vocabulo ab Indigenis quondam vocatus est Jou quo Mons exprimitur ac nominatim Mons Sylo sic quo eodem nomine Montanæ Sylvæ appellantur. Celso jugo ab ripa Rhodani, lacu Lemano ad Genevam egressi, Sequanos inter & Helvetios versus Boream obliquè porrigitur ad fines Mediomatricorum; contra occasum vero in varia promontoria tributus Sequanorum appida & agros frequentibus civitas & Vallibus distinguit. Hodie Mont jou, Mont aura Acutis.

104. Thus by the fidelity of his Wife, and his seasonable severity, he evaded the danger, and established his Power; but through the corruption of those about him, and his own remissness, shortly after committed an errour, which tended to the diminution both of the greatness of his Name and Nation. The *Lombards* having formerly made Incursions into *Gall*, were so received by the Kings of the *Franks*, that they not onely drove them back, but followed them into *Italy*, and constrained them to purchase Peace, by parting with several of their own Towns, and a yearly payment of twelve thousand *Solidi*. This Tribute had been duely paid in the Reigns of *Guntram*, and *Childebert*, and downward, till the time of *Agi-*

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Releases the Tribute that was formerly paid by the *Lombards*.

Iulf, the King of the *Lombards*, who feeling the burthen heavy, and not conceiving himself in a capacity to be eased by Steel, resolved to try what he could effect with Gold and good Language. Having picked out some fit Men for the Errand, he sent them to the Court of *Clotair*, where having stopped the Mouths of his principal Ministers, they had the better opportunity to open their own, and cunningly effected what they were sent for. They much insisted upon this plausible Argument, That *the Friendship of any People is better founded upon Love and Goodwill, than Force and Servitude: That the* Lombards *quit of this ingrateful duty, would exchange it for others more generous and sincere of Gratitude and Fidelity.* In conclusion, by their pleasing Language and Deportment, and paying down 3600 *Solidi*, (besides 3000 wherewith they had bribed three of the principal Ministers,) they struck up the Bargain, and bought off the perpetual Tribute at three years purchase.

105. Herewith *Clotair* of what consequence soever it was, rested satisfied, but shortly after, in the six and thirtieth Year of his Reign, he was overwhelmed with grief at the death of his Queen, who for her excellent Vertues and Endowments, left a great miss of her amongst the People. To make up this loss, assoon as sorrow would give leave, he married another Wife called *Sichild*, by whom he had a Son called *Hairbert*; and considering what Jealousies and Enmities are wont to arise in Families where Step-mothers have opportunity to shew their biassed Inclinations, he thought fit to send away *Dagobert*, whom he had by his former Wife, and made him King of *Austrasia*, delivering all the Countries formerly subject to that Crown into his Hand, except *Ardenna* and *Vosagus*, lying toward *Neustria* and *Burgundy*, which he thought fit to keep to himself. Having given him a Kingdom, in the next place he provided him a Wife, and such an one as by the Alliance was likely to preserve Unity, and a good Understanding in their Family. Sending for him to *Clippiacum*, a place near *Paris*, he married to him *Gomadinde*, the Sister of *Sichild* his Wife, and two days together they kept the Wedding with all Joy and Magnificence suitable to such an occasion. But the third day the Bridegroom fell into a discontent, not that he was now tied and bound by the Bonds of Matrimony, but straitned and confined within the limits of too narrow a Kingdom. He complained that he was not rightly called King of *Austrasia*, whereof the best and principal Parts were withheld from him, though, if his Judgment did not flatter him, he was now of Age and Abilities sufficient to take the Government of the whole.

Makes *Dagobert* his Son King of *Austrasia*.

Ardenna Sylva, Vosagus Mons.

106. Such were the complaints of the Son, but the Father thought he had no reason to make them, who had no right to any thing, nor could claim one foot of ground as his due, but had received all from his mere bounty. The Contest grew high, and the difference seemed to threaten the *Franks* with mischief, of which being aware, they interposed, and the matter being committed to twelve of the Nobility, they persuade the Father for Peace and Quietness sake, to yield to the youthfull heat and ambition of his own Son, (whose all must be at last,) and so they were throughly reconciled, the whole Kingdom being delivered into *Dagobert*'s Hands, except that Region called *Provence*, and those places that lay on this side the *Loire*. The following Year *Warnarius* the Governour of *Burgundy* died, who was hardly cold in his Grave, when *Godinus* his Son married the Widow his Step-mother. This coming to the knowledge of *Clotair*, he commands him as an Incestuous Person to be put to death, but the noise of the Sentence anticipating much the Execution, he flies to *Dagobert*, and easily obtains of him to intercede for his Life, which at length was granted, in consideration of the great and eminent Services of his Father. His Life he was content to purchase with a Divorce, but she was not therewith satisfied, but as if it more behoved him to gratifie her sensual Appetite, than to desire Life it self, fell into an implacable Passion and Hatred, which so far transported her, as to accuse him of designs against the King's Life. The King being in this point credulous enough, commanded him to make Oath, he had no such Intention, which, at the importunity of *Chramulph* and *Wandalbert*, he did, both in the Church of St. *Medard* at *Soissons*, and St. *Vincent* at *Paris*; yet this would not satisfie, they would compell him to reiterate it at *Orleance*, in the Church of St. *Anian*, and at *Tours* in that of St. *Martin*, whither as he travelled to doe it, those fawning Courtiers, the King conniving at it, set upon him as he sate at Meat with several Friends, and, notwithstanding their opposition, cruelly murthered him.

And of all the rest, except *Provence*.

Provincia Pleraque, ut quidam interpretatur.

107. *Clotair* being exasperated by this imaginary Conspiracy, or his hand being now in, resolved to be very severe. This same Year he banished one *Palladius*, with *Sedocus* his Son, the Bishop of *Tolouse*, as being privy to the Rebellion of the *Vascons*, and having laid to the charge of one *Boso*, an Inhabitant of *Stampa*, that he

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he had debauched *Sichild* his Queen, caused him to be put to death. Assembling the Estates of *Burgundy* together, for the Election of a new *Major* of the Palace, into the place of *Warnarius*, they declared, that they desired to be governed by none but God and himself, which he took kindly, and would not impose any new Governour upon them. In the mean time *Dagobert* highly concerned himself about the *Saxons*, who despising his Youth, disdained to be subject to him. He disdained as much to bear the affront, and getting an Army ready, passed the *Rhine*, and ingaged in battel with *Bertoald* their Captain. Here he was so hard put to it, that fighting manfully in his own Person, he received a wound in his Head, from which a piece of his Helmet was cut, with part of the Skin, Hair and all, which, having retreated to his Camp, he sent with the Skin, bloudy as it was, unto his Father, desiring him to make all the haste he possibly could to his relief. *Clotair* then was making a more gentle sort of War with wild Beasts, but the sight of the Present sent him by his Son quickly diverted him to a serious Hostility, and he rather flew than went to his succour, not giving himself rest, day nor night, till he reached the place. His presence filled the *Franks* with excessive Joy, of which they were not wanting to give ample demonstrations, and the noise easily reached the Ears of the *Saxons*, the two Camps being but parted by the River *Viscere*. *Bertoald* was unwilling to believe (at least that his Souldiers should) that *Clotair* was so near them, and gave out that the Enemy did but dream, forasmuch as he had certain Intelligence, that the old King was dead. Hereupon he shews himself upon the Bank of the River, uncovering his Head, that his reverend grey Hairs, known to all, might convince them of his presence, but kept silence, to strike them with the greater apprehension of his Design.

The *Saxons* rebell.

108. *Bertoald*, to make amends for his mistake or fraud, fell into opprobrious Language, using this Expression, *Art thou there, dumb Beast?* Wherewith *Clotair* inflamed, takes the water, and over he will pass, to be revenged, which his Men seeing, swim after him, and to shore he gets safe and sound, and sets upon his Enemy. *Bertoald*, not able to sustain the violence of their Fury, takes his heels, and *Clotair*, though burthened with his Armour, and with his Boots, which were full of water, follows after so fast as almost to come up with him. *Bertoald* seeing the danger he is in, now expostulates, then chides downright, and still professes himself his slave and vassal. But *Clotair* not giving heed to his hypocritical Expressions, which he knew a mere sense of necessity wrested from him, still pressed forwards, and getting ground, at length came up with him, and slew him, being the second *Frank*, if a modern Authour rightly observeth, who obtained the *opima Spolia*. Having cut off his Head, he returned back to his Son, and the rest of the *Franks*, whom he found all in sorrow and lamentation, because they could not keep pace with him, and had given him over for a lost Man. The *Franks* at the sight of him reassuming their courage, and under his Conduct invaded the *Saxons*, where wasting the Countrey, all Males they put to death, which exceeded the length of *Clotarius* his Sword. This Exploit and his Retreat he not long survived, dying *A. D.* 631. in the four and fortieth Year of his Reign, and the fifteenth of his Monarchy over the *Franks*, and was buried in the Suburbs of *Paris* in the Church of St. *Vincent*, now St. *Germans*, where as yet his Tomb (by whom, and at what time soever built) is yet to be seen on the South side, overagainst that of his Father *Chilperick*, *Bertrude* his Wife being buried a little higher. He had two Wives, as we have said, *viz.* this *Bertrude*, or *Berotride*, by *Fortunatus*, in his *Epithalamium*, called *Richilde*, a *Saxon*, and of the Family of *Athanachild*, King of the *Visigoths*, who makes mention also of *Clotair*, her Husband; this diversity of Names, as *Tily* observes, flowing from diversity of Speech, as he instanceth in particulars of the *French*, and we might as easily of our own Language. By this Lady he had his Son *Dagobert*, and a Daughter named *Biltilde*, married to *Aribert*, a Duke of *Austria*. His second Wife was *Sichild*, and by her he had *Aribert*, *Haribert* or *Charibert*, another Son. As for *Meroneus*, who was taken or killed at the Battel near *Stampæ*, he seems to have been base born.

But are subdued by *Clotair*.

Tinne hic tenta aderas ubi? Sic Saxones, ait, Dic tu mihi O crudum & Caninum & Canum simillimum ancillule! Vinegas fallis. Verbaque... mixta fletui tuum vanum & Saxonum ibi... inter se ... ne fallit ... ancillule fraudis ratio apud Danos adhuc obtinet, qui vulgo sua lingua hominem semel pudoris nem inter excipere, Thet Gammel Oogh id eft, hoc veterum Junentum filent dicere.

Who dies.

109. *Dagobert* having notice of his Father's death, sent with all speed certain select Persons to the Nobility of *Neustria* and *Burgundy*, to secure his Interest. They without much hesitancy closed with him, as the rightfull Heir, and received him at *Reims* with great concourse and solemnity, *Aribert*, his younger Brother, and for him *Brunulf*, his Uncle by the Mother's side, in vain contending for the Inheritance. The Estates thought *Aribert* far inferiour to *Dagobert* in parts, and for that reason, as well as others, declined his Interest. *Dagobert* having settled his matters,

Dagobert succeeds him.

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Releases the Tribute that was formerly paid by the *Lombards*.

Iulf, the King of the *Lombards*, who feeling the burthen heavy, and not conceiving himself in a capacity to be eased by Steel, resolved to try what he could effect with Gold and good Language. Having picked out some fit Men for the Errand, he sent them to the Court of *Clotair*, where having stopped the Mouths of his principal Ministers, they had the better opportunity to open their own, and cunningly effected what they were sent for. They much insisted upon this plausible Argument, That *the Friendship of any People is better founded upon Love and Goodwill, than Force and Servitude: That the* Lombards *quit of this ingratefull duty, would exchange it for others more generous and sincere of Gratitude and Fidelity.* In conclusion, by their pleasing Language and Deportment, and paying down 3600 *Solidi*, (besides 3000 wherewith they had bribed three of the principal Ministers,) they struck up the Bargain, and bought off the perpetual Tribute at three years purchase.

105. Herewith *Clotair* of what consequence soever it was, rested satisfied, but shortly after, in the six and thirtieth Year of his Reign, he was overwhelmed with grief at the death of his Queen, who for her excellent Vertues and Endowments, left a great miss of her amongst the People. To make up this loss, assoon as sorrow would give leave, he married another Wife called *Sichild*, by whom he had a Son called *Hairbert*; and considering what Jealousies and Enmities are wont to arise in Families where Step-mothers have opportunity to shew their biassed Inclinations, he thought fit to send away *Dagobert*, whom he had by his former Wife, and made him King of *Austrasia*, delivering all the Countries formerly subject to that Crown into his Hand, except *Ardenna* and *Vosagus*, lying toward *Neustria* and *Burgundy*, which he thought fit to keep to himself. Having given him a Kingdom, in the next place he provided him a Wife, and such an one as by the Alliance was likely to preserve Unity, and a good Understanding in their Family. Sending for him to *Clippiacum*, a place near *Paris*, he married to him *Gomadinde*, the Sister of *Sichild* his Wife, and two days together they kept the Wedding with all Joy and Magnificence suitable to such an occasion. But the third day the Bridegroom fell into a discontent, not that he was now tied and bound by the Bonds of Matrimony, but straitned and confined within the limits of too narrow a Kingdom. He complained that he was not rightly called King of *Austrasia*, whereof the best and principal Parts were withheld from him, though, if his Judgment did not flatter him, he was now of Age and Abilities sufficient to take the Government of the whole.

Makes *Dagobert* his Son King of *Austrasia*.

Ardenna Sylva, Vosagus Mons.

106. Such were the complaints of the Son, but the Father thought he had no reason to make them, who had no right to any thing, nor could claim one foot of ground as his due, but had received all from his mere bounty. The Contest grew high, and the difference seemed to threaten the *Franks* with mischief, of which being aware, they interposed, and the matter being committed to twelve of the Nobility, they persuade the Father for Peace and Quietness sake, to yield to the youthfull heat and ambition of his own Son, (whose all must be at last,) and so they were throughly reconciled, the whole Kingdom being delivered into *Dagobert*'s Hands, except that Region called *Provence*, and those places that lay on this side the *Loire*. The following Year *Warnarius* the Governour of *Burgundy* died, who was hardly cold in his Grave, when *Godinus* his Son married the Widow his Step-mother. This coming to the knowledge of *Clotair*, he commands him as an Incestuous Person to be put to death, but the noise of the Sentence anticipating much the Execution, he flies to *Dagobert*, and easily obtains of him to intercede for his Life, which at length was granted, in consideration of the great and eminent Services of his Father. His Life he was content to purchase with a Divorce, but she was not therewith satisfied, but as if it more behoved him to gratifie her sensual Appetite, than to desire Life it self, fell into an implacable Passion and Hatred, which so far transported her, as to accuse him of designs against the King's Life. The King being in this point credulous enough, commanded him to make Oath, he had no such Intention, which, at the importunity of *Chranulph* and *Wandalbert*, he did, both in the Church of St. *Medard* at *Soissons*, and St. *Vincent* at *Paris*; yet this would not satisfie, they would compell him to reiterate it at *Orleance*, in the Church of St. *Anian*, and at *Tours* in that of St. *Martin*, whither as he travelled to doe it, those fawning Courtiers, the King conniving at it, set upon him as he sate at Meat with several Friends, and, notwithstanding their opposition, cruelly murthered him.

And of all the rest, except *Provence*.

Provincia Plocensis, ut quidam interpretatur.

107. *Clotair* being exasperated by this imaginary Conspiracy, or his hand being now in, resolved to be very severe. This fame Year he banished one *Palladius*, with *Sedocus* his Son, the Bishop of *Tolouse*, as being privy to the Rebellion of the *Vascons*, and having laid to the charge of one *Boso*, an Inhabitant of *Stampa*, that he

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he had debauched *Sichild* his Queen, caused him to be put to death. Assembling the Estates of *Burgundy* together, for the Election of a new *Major* of the Palace, into the place of *Warnarius*, they declared, that they desired to be governed by none but God and himself, which he took kindly, and would not impose any new Governour upon them. In the mean time *Dagobert* highly concerned himself about the *Saxons*, who despising his Youth, disdained to be subject to him. He disdained as much to bear the affront, and getting an Army ready, passed the *Rhine*, and ingaged in battel with *Bertoald* their Captain. Here he was so hard put to it, that fighting manfully in his own Person, he received a wound in his Head, from which a piece of his Helmet was cut, with part of the Skin, Hair and all, which, having retreated to his Camp, he sent with the Skin, bloudy as it was, unto his Father, desiring him to make all the haste he possibly could to his relief. *Clotair* then was making a more gentle sort of War with wild Beasts, but the sight of the Present sent him by his Son quickly diverted him to a serious Hostility, and he rather flew than went to his succour, not giving himself rest, day nor night, till he reached the place. His presence filled the *Franks* with excessive Joy, of which they were not wanting to give ample demonstrations, and the noise easily reached the Ears of the *Saxons*, the two Camps being but parted by the River *Viscere*. *Bertoald* was unwilling to believe (at least that his Souldiers should) that *Clotair* was so near them, and gave out that the Enemy did but dream, forasmuch as he had certain Intelligence, that the old King was dead. Hereupon he shews himself upon the Bank of the River, uncovering his Head, that his reverend grey Hairs, known to all, might convince them of his presence, but kept silence, to strike them with the greater apprehension of his Design.

The *Saxons* rebell.

108. *Bertoald*, to make amends for his mistake or fraud, fell into opprobrious Language, using this Expression, *Art thou there, dumb Beast?* Wherewith *Clotair* inflamed, takes the water, and over he will pass, to be revenged, which his Men seeing, swim after him, and to shore he gets safe and soon, and sees upon his Enemy. *Bertoald*, not able to sustain the violence of their Fury, takes his heels, and *Clotair*, though burthened with his Armour, and with his Boots, which were full of water, follows after so fast as almost to come up with him. *Bertoald* seeing the danger he is in, now expostulates, then chides downright, and still professes himself his slave and vassal. But *Clotair* not giving heed to his hypocritical Expressions, which he knew a mere sense of necessity wrested from him, still pressed forwards, and getting ground, at length came up with him, and slew him, being the second *Frank*, if a modern Authour rightly observeth, who obtained the *opima Spolia*. Having cut off his Head, he returned back to his Son, and the rest of the *Franks*, whom he found all in sorrow and lamentation, because they could not keep pace with him, and had given him over for a lost Man. The *Franks* at the sight of him reassuming their courage, and under his Conduct invaded the *Saxons*, where wasting the Countrey, all Males they put to death, which exceeded the length of *Clotarius* his Sword. This Exploit and his Retreat he not long survived, dying *A. D.* 631. in the four and fortieth Year of his Reign, and the fifteenth of his Monarchy over the *Franks*, and was buried in the Suburbs of *Paris* in the Church of St. *Vincent*, now St. *Germans*, where as yet his Tomb (by whom, and at what time soever built) is yet to be seen on the South side, overagainst that of his Father *Chilperick*, *Bertrude* his Wife being buried a little higher. He had two Wives, as we have said, *viz.* this *Bertrude*, or *Berotride*, by *Fortunatus*, in his *Epithalamium*, called *Richilde*, a *Saxon*, and of the Family of *Athanachild*, King of the *Visigoths*, who makes mention also of *Clotair*, her Husband; this diversity of Names, as *Tily* observes, flowing from diversity of Speech, as he instanceth in particulars of the *French*, and we might as easily of our own Language. By this Lady he had his Son *Dagobert*, and a Daughter named *Biltilde*, married to *Aribert*, a Duke of *Austria*. His second Wife was *Sichild*, and by her he had *Aribert*, *Haribert* or *Charibert*, another Son. As for *Meroneus*, who was taken or killed at the Battel near *Stampæ*, he seems to have been base born.

But are subdued by *Clotair*.

Who dies.

Tunc hic ruta aderas Gallia? Sic Attalus, ille quondam. Illi hic modo O random & Ca- nem Jupiterem ancorifer Lo- gna tulit. Vera fundit... arte Se- quet Iron wam- for sazanam ido- ama inter se ejus- ne fuisti. Cassidi formula & ratio apud Danos adhuc obtinet, qui vulgo sua lingua hominem fe- rem galeatum vo- lentes excipere, Thet Gammel Oegh id est, hoc vetulum Juvenem- tum solent dicere.

109. *Dagobert* having notice of his Father's death, sent with all speed certain select Persons to the Nobility of *Neustria* and *Burgundy*, to secure his Intereſt. They without much hesitancy closed with him, as the rightfull Heir, and received him at *Reims* with great concourse and solemnity, *Aribert*, his younger Brother, and for him *Brunulf*, his Uncle by the Mother's side, in vain contending for the Inheritance. The Estates thought *Aribert* far inferiour to *Dagobert* in parts, and for that reason, as well as others, declined his Intereſt. *Dagobert* having settled his

Dagobert succeeds him.

matters,

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matters, took occasion to be revenged upon *Brunulf*, but was so good natured, as by the Advice of the Nobility, to give his Brother a good share out of his Dominions, *viz.* all the Countries lying betwixt the River *Loire*, toward *Wasconia*, as far as the *Pyrenæan* Mountains, covenanting with him by writing, that content with this Portion, neither he, nor any of his, should ever lay claim to any other Part of their Father's Kingdom. *Arilert* having taken Possession, chose *Tolouse* for his Seat, and buckling himself to his business, shortly made it appear he was not the Man for which the Nobility had taken him. He proved exceedingly industrious, and sharp witted, and in the third Year of his Reign increased his Dominions, by the Conquest of all *Wasconia*. *Dagobert* reserving for himself the intire Kingdoms of *Austrasia*, *Burgundy* and *Neustria*, and using the Counsel and Direction of his Tutour, *Arnulf* the Bishop of *Metz*, with other sober and judicious Persons, ordered his matters at first with great Prudence, Justice and Moderation. Into *Burgundy*, not long after his Father's death, he made a Progress, where he got great Fame by his impartial acting betwixt all Parties. But after his return to *Paris*, entertaining new Favourites, and giving ear to the Whispers and Insinuations of the Parasites about him, he began to enter into a contrary course, whereat the good Bishop discontented, and not able to obliterate the Impressions which, suiting his Appetite, the Courtiers had made upon him, with grief departed home to his See. Pretending that *Gomatrude* his Wife was barren, he married another by their Advice, *Nantilde* by Name, whom he took by force out of a Monastery. But this being as barren, it seems, as the other, or her Fruit miscarrying, he married a third, called *Raguetrude*, by which he had a Son by the years end. The Child was offered to the Font by *Aribert*, the King of *Aquitain*, so was he styled, and being baptized at *Orleance*, by the Name of *Sigebert*, when none would say *Amen* to the Prayers of the Bishop that officiated, he himself is said to have opened his Mouth and have done it, though he was not above thirty days old.

And makes his Brother *Aribert* King of *Aquitain.*

110. After this our Authours complain, that *Dagobert* forgetting all the good Lessons his Tutour had taught him, turned an open Robber of Persons and Places, both sacred and civil. Under pretence of giving to that of St. *Denis*, which he founded, he took away from other Churches, and his Lust, by gratifying it, grew so extravagant, that besides his three Wives which he maintained, both in the Title and Port of Queens, he kept a great number of Concubines. These Vices of his were but rather strengthened and increased by Prosperity and good Fortune. In the ninth year of his Reign, his Brother *Aribert*, the King of *Aquitain*, dies, who having a young Son, called *Chilperick*, he staid not long behind, but, in the Opinion of Men, was sooner sent after him by his Uncle's Procurement than Nature had intended, which done he dispatched an Officer to seize upon his Kingdom and Treasures. His Coffers being now full, what with the Rapines he had made, and what by the Death of his Nephew, he took an occasion soon after to empty them, and first by the War he made with the *Sclavi*. These were a People inhabiting that Part of *Pannonia*, formerly called *Pannonia Valeria*, and *Interamnia*, now appertaining to *Hungary*, lying betwixt the two Rivers *Dravus* and *Savus*. The *Roman* Empire going to decay, first the *Goths* pierced into this Countrey, and quitting it upon better hopes, these *Sclavi*, a Hunnish Nation, barbarous and fierce, whose Dominions extended as far as *Odesa*, and were separated from the *Saxons* onely by the River *Albis*, as wrote *Helmoldus*, though others say, formerly seated upon the Lake of *Mæotis*, invaded and made it their Habitation. *Sclave*, it's said, signifieth in their ancient Language *Glory*, or *Glorious*, but afterward an accident happened, which might well cause it to be taken and used in a quite contrary sense, and to denote a Man subjected to the highest degree of Servitude. For these *Sclavi*, or *Vindi*, **Vinidi*, or *Vinduli*, (for so also they were called, and from them the place, as some think, which at this day retaineth the Name of *Vindischland*,) after their fixing in this Country, were conquered by the *Hunnes* properly so called, and oppressed in no small degree of misery, but with such sort of bondage as fully answers to the word of *Slavery*. First, they served them as Auxiliaries, then as Tributaries and Stipendiaries, and at last as the vilest Slaves indeed, or Bondmen; in Summer in the Field, in Winter in their own Houses, where not onely they lived upon the spoil, and took what they had, but abused their Beds, lying with their Wives and Daughters at their pleasure.

Aribert and his Son dying, *Dagobert* adds their Dominions to his.

Then he makes War upon the *Sclavi.*

Dravus Δραῦος *Straboni* Δάρης, *Ptolemæo* Δραυΐ, *Plinio vulgo* Dra, *teste Lazio*, *Pannoniæ fluvius quem Danubius excipit.*

Savus Plinio & Strabone Σάος, *sed Ptolemæo* Σά-ϐος & Σούϐος, *Pannoniæ flumen, in Danubium etiam se exonerans, hostie Sav. Strabo scribit Savum in Dravum influere, sed erat.*

* *Aut cum duplici V Winidi ut apud Aimoinum, lib.* 4. *c.* 23.

111. An Offspring in this manner begotten of slavish Women, but by lording and domineering *Hunnes*, the bloud of their Fathers, it seems, being predominant, and boiling in their Veins, scorned, if not the Name, yet the modern signification of

of *Sclaves*, and being come to ripeness of Age strenuously asserted the Liberty of themselves, and the Nation, on which they were ingrafted, maintaining a long and tedious War. While this was hotly managed on both sides, it happened that one *Samo*, a *Frank*, or *Gall* by birth, of the *Senones*, being a Merchant, and following his business in those parts, was importuned by these *Sclavi* to put himself into the Army. Being prevailed with, he behaved himself with that Valour and Conduct, that thinking none so fit to rule as the most valiant, who could keep as well as get, they chose him for their King. And he carried himself so as they had no reason to repent them of their choice, being beloved at home, and terrible abroad. He espoused with the Title and Dignity their whole Interest, not sticking at Religion it self, which he exchanged for Paganism, after the manner of the Nation, marrying twelve Wives, and he so far forgot all respect for his native Countrey, and his first trade of Life, that such French Merchants as came into *Sclavonia* to traffick, he spoiled of their Wealth, and caused such as made resistence, and appealed to the Law of Nations, to be put to death. *Dagobert* herewith much offended, sent one *Sicharius* as his Ambassadour, to demand restitution of the Goods, and satisfaction to Justice, for violence offered to his Subjects. Of *Samo* he demands audience, but can have none, till he puts himself into the Habit of the Countrey, and so in a disguise gets into his Presence, where discovering himself, he complains of the Injury, and demanding satisfaction, flies into reproachfull Language, telling them, they were the Subjects of *Dagobert*, not onely the Tributaries, but the Bondmen or very Slaves of his Master.

Samo, a *Gall*, chosen King of the *Sclavi.*

Senones, hodie Sennonis, quorum fines quondam ita laxi fuere, ut in circumjectis Tricassium, Æduorum Biturigum, Carnutum agris multa oppida, ipsa vero Mediolanium obtinuerent.

112. *Samo*, with more temper, replied, that he was ready to comply with the King of the *Franks* in all things, not because the Nation was at all obnoxious to him, as Vassals, but by virtue of their ancient Friendship and Alliance. The Ambassadour indiscreetly answered, there could be no Alliance nor Communion betwixt *Christians* and *Dogs*. Be it so, said the other, you are the Servants of Christ, and we are Dogs, but remember, that Dogs do often revenge upon Servants what they have saucily and naughtily committed against their Master; and therewith he commanded the Ambassadour to be hurried from his presence, and out of his Dominions. *Dagobert* with the report hereof was so exasperated, that he resolved to raise a mighty Army, and subdue this malapert Nation. The *Lombards* and *Alemans* also under Conduct of *Rothert*, he procured to join with him, who demeaned themselves with that courage, that they easily overthrew the *Sclavi*, and returned home, inriched with booty, and many Captives. The *Austrasians* being now left to themselves, besieged a Fort, called *Vogastrum*, to which many of the most valiant of the Enemy had fled for their security. But they managed the Siege with remisness, that those within acted by necessity, and desperation made so effectual a Sally, that having killed many of them, the rest most shamefully ran away, leaving their Camp, Baggage and Provisions, a seasonable Prey, to the almost starved Enemy. The *Sclavi* incouraged by so unexpected good fortune, pursued their Victory, and invading *Thoringia*, and other Parts of *Germany*, subject to the *Franks* made such destruction of all places, and struck such terrour into all round about, that *Dervanus*, who commanded certain Cities of the *Sclavi*, that were in the Dominion of *Dagobert*, out of desperation, revolted to them; there being small hopes of any effectual succour to be had from the King, who was now altogether enervated by his Luxurious practices.

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113. Luxury is accompanied often with Cruelty, though seldom with true and substantial Valour. At this time there happened a contention betwixt the *Bulgari* (a People which from the Banks of the River *Volga*, had passed into the inferiour *Mæsia*, and there seated themselves) and their Neighbours the *Avares*, or *Hunnes*, with whom they had joined and embodied themselves, out of which Nation their King should be chosen. To blows it came, and the Victory remained with the *Hunnes*, who dealing now with the *Bulgari*, as with absolute Enemies, many of them fled their Countrey, and humbly besought *Dagobert* to bestow on them some place to inhabite. He ordered them into *Baioaria* (or *Bavaria*) there to winter, till he might consult where to bestow them, and they were accordingly dispersed in the several Houses of the Inhabitants, whom at last, by advice of those about him, for fear, as was pretended, that they should attempt some dangerous matters, he commanded to kill them, every Housholder, his Guest, with his Wife and Children. This was done according to his command, all their Throats being cut in one and the same night, as they innocently slept, onely some seven hundred escaped, and by one *Alticeus* were brought unto the *Sclavi*. About this time *Sisebodus* the

A Massacre.

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Dagobert sends an Army into *Spain*.

114. Hitherto, with the Affront received from the *Sclavi*, *Dagobert* slept supinely; but at length awaking, and coming to himself, it rose upon his Stomach, and he could not possibly digest the Injury. In the tenth Year of his Reign he raised a choice Army, and himself, in Person, resolved to lead it. Having passed through *Arduenna*, the Forest, as far as *Moguntia*, or *Mentz*, and being now ready to pass the *Rhine*, the *Saxons*, though Tributaries, and in perfect Peace with him, yet fearing the Approach of so great a force, came and offered their service for the chastisement of the malapert *Sclavi*, professing themselves ever to be at his Devotion, and without an expectation of Reward, onely they desired that he would remit the yearly Tribute they paid, of five hundred Cowes, called *Vaccæ Inferendales*, which Petition he granted, by advice of his Counsellours, on this condition, that they should, for the time to come, faithfully protect these Borders of his Dominions. Oath hereof was made (as they were wont to swear) upon their Arms, but was never confirmed by any Act, though they got free of the Tribute, and nothing came of this expedition. The *Sclavi* therefore finding they had been more scared than hurt, the following year renewed their Incursions into *Thoringia*, which put *Dagobert* upon new Counsels, finding that those former, relating to the *Saxons*, had not succeeded. By the Advice of his Counsellours, he set over the *Austrasians* his Son *Sigebert*, in Name as King, but in Effect Governour, by direction and management of his two Tutours, or Guardians, *Chimibert*, the Prelate of *Campania*, or *Rheims*, and *Adalgisus*, the *Major* of the Palace. He assigned them a sufficient Revenue, and other things, all which he caused to be inscribed into his Testament, and sealed. Thenceforth, so long as *Sigebert* lived, by the Prudence and Industry of the *Austrasians*, all Irruptions of the *Winidi* were restrained.

Collegit lectam è Francia bellatoribus Scaram, quam nos turmam vel Cuneum appellare possumus. Aimoinus, lib. 4. c. 25.

Scara Teutonica vox, quamvis moderni Franci eâ utuntur ut Fauchetus in Carolo magno: il commanda aux plus habiles Soldats Francois en cloure par derriere les Italiens, &c.

Sigebert his Son made Governour of *Austrasia*, by which means the Incursions of the *Sclavi* are restrained.

115. In the twelfth Year of *Dagobert* his Reign, he had another Son born by *Nautilde*, his beloved Wife, called *Clodonæus*, or *Hludonicus*, betwixt whom and *Sigebert*, his elder Son, by advice of his Nobles, he designed an equal Division of his Dominions. *Sigebert* he left, as now he found him, King of *Austria*, and therefore to *Clodonæus* the younger, he assigned *Neustria* and *Burgundy*, together with the Dukedom of *Deutelenus*, which hitherto had been unjustly, as was accounted, possessed by the *Austrasians*, who, though sorely against their Wills, yet for fear of *Dagobert*, confirmed the perpetual annexion of it unto *Neustria*. In the Year that followed, News was brought that the *Vascons* rebelled, who having been found guilty of the same Crime by his Brother *Aribert*, and forced to submit to the yoke, had, after his death, despised *Dagobert's* Orders, and infested all the Countries adjoyning, with Murthers and Rapine, till *Sadragesilus* being made Governour of *Aquitain*, restrained their Incursions, and caused them to keep at home. But he (whether by the knowledge of *Dagobert*, we know not, who formerly bore him Malice) was privily murthered, and his Sons being idle, or worse, and not prosecuting with Arms those that were guilty, were in a publick Assembly of the *Franks*, as *Aimoinus* tells us, according to the *Roman* Laws, deprived of all his Estate, which the King then conferred on the Church of St. *Denis*. He being made away,

Quæ ideo, inquit Aimoinus, infevendales dicebantur: et quid singulis annis inferentur. Ibid.

Et quacunq; consisit testamenta cuncta inseri ac sigilli impressione signari mandavit deinceps, &c. Ibid.

The *Vascons* forced to beg Peace.

Sect. 3. away, the *Vascons* thought they might renew their former Trade of Life, but *Dagobert*, as loosely as he had lately lived, would not suffer the Affront to pass uncontrolled, but gathered a great Army out of *Burgundy*, which he committed to the conduct of no fewer than twelve several Captains. They ingage in Battel with the *Vascons*, put them to flight, which done, they wasted their Countrey, and having driven them up for shelter into the Mountainous places, returned with Honour untouched, but for one Accident. *Arembertus* one of the Captains as he ingaged indiscreetly, or staid too long in the Valley called *Robola*, was cut off with the greatest part of the Nobility, and the old Souldiers that followed him: But *Audoenus* (or *Audonius*) the chief of the twelve who was eminent for many Battels, fought in the time of *Theodorick*, and was now held by all in chiefest Rank of Subjects, so demeaned himself, that the *Vascons* were forced to beg Peace, and Promise obedience for the time to come; whereupon he drew off his Army.

Robola Aimoino sed aliis Subola quæ hodie Sola. Audonius aliis Chodonius.

Vide Orbenarum in Notitia Vasconiæ, lib. 3. c. 2.

116. *Dagobert* a little elevated with his Success against the bold *Vascons*, began to consider who there were, that by the like Fault committed, had merited a suitable Punishment, which he thought himself able now to inflict by means of his lately Victorious Army. The *Britains* of *Aremorica* or *Armorica*, had often made Incursions into his Dominions, and as well since his coming to the Government, as before, had contrary to several Leagues and Agreements, made great Wastes and Depredations in the adjoyning Countries. *Dagobert* sends to *Judicahil* their Prince (or King, as our Historian calls him) *Eligius* a Person of great Prudence and Integrity, by whom he demands Satisfaction might be made for former Injuries, or he must expect the whole force, which was coming from *Vasconia*, would be sent to fetch it. *Eligius* so wrought upon *Judicahil*, that he not onely prevailed with him to conform himself to the Pleasure of the King of the *Franks*, but to come with him to the Court of *Dagobert*, who then lay at the Village *Clippiacum*, where he not onely Promised an Amendment of what was past, but subjected himself and his People, to the obedience of the King, and made a perpetual Peace with him. *Dagobert* being now at his ease, and having brought to his beck all the Nations round about him, was, as is reported, bettered by his Prosperity, and, contrary to the common Inclination of Mankind, his good fortune kindled in him a Zeal after Piety and true Religion. In a place called *Bigargium*, on the one and twentieth of *April* he summoned a General meeting of all the Nobility and Prelates of *France*; to whom, and to his two Sons he signified his Intensions, to leave something to most of the Churches within his Dominions, for his Souls health, ordering that of his Testament, one Copy should be kept at *Paris*, a second at *Lyons*, a third at *Metz*, and a fourth in his own Treasury; and charging his Sons to see his Will performed, as they should expect the same Office of Duty from their Posterity. Whether he had a Prospect of death which put him into so good a Mood, or by a true Sense of things he was brought into a due estimate of earthly Enjoyments, he died the Year following, of a Flux in a Village called *Spitrogillum* upon the River *Seine*, not far from *Paris* after he had Reigned fourteen Years. Perceiving his last hour to approach, he sent for *Ega* his Councillour, and the Major of the Palace, and to his Care and Government recommended his Son *Clodonæus* with *Nautildis* his Mother, desiring all the Nobility and Prelates also of *Neustria* and *Burgundy* to be assisting to them. He died on the nineteenth of *January*, and was with much Solemnity buried in the Church of St. *Dionysius*, or *Denis* near *Paris*, which he himself with very much Charge had built and endowed, about the the fifth Year of the Emperour *Constans*, the fifth also of *Theodorus* Bishop of *Rome*, *A. D.* 646.

The *Britains* of *Armorica* submit.

Dagobert dies.

Tillii Spinosum.

117. Hitherto the *Franks* had been Governed by their Kings, who though they had Ministers under them, by whom they acted; yet had the Administration still in their own hands. But from this time, the Majors of the Palace reigned in Effect, those Kings (of this Race) which followed, enjoying nothing but the Title, which may partly be attributed to this solemn Act of *Dagobert*, whereby as it were he instated *Ega* in the Government, and left a President to future times; but especially, it is to be ascribed to the Sloth, and voluptuous Life of some of the Princes themselves, who being on purpose by these their Governours, indulged in their sensual Course of Life had little Mind, and much less Ability for publick Employments. *Dagobert* being dead, *Sigebert* continued in the Possession of *Austrasia*, and *Clodonæus* succeeded to *Neustria* and *Burgundy*, being called *Ludovicus* the first, though *Clodonæus* and *Ludovicus* be the same Name, and the first Christian King of this Nation, is Consequently to be called the first; but to shun Confusion, we must

He is succeeded by *Sigebert* and *Clodonæus* his Sons.

Sect. 3. the King of *Spain* died, and was ſucceeded by *Sentila*, who by his cruelty and other vices, quickly alienated the minds of his Subjects from him. Amongſt them *Siſenendus* a Nobleman, more unwilling to bear his Inſolency than the reſt, came to *Dagobert*, and deſired his Aſſiſtence for expelling *Sentila* out of *Spain*. He was willing enough to doe miſchief to whomſoever, and appointed the whole Force of *Burgundy* to attend him, which being noiſed abroad in *Spain*, all forſook *Sentila*, being already offended at his Carriage, and aſſoon as *Siſenendus* arrived made choice of him for their King. *Abundantius* then and *Venerandus*, the Leaders of the *Franks*, having brought him as far as *Cæſar-Auguſta*, where he received the Homage of the Nobility, returned home with good rewards. But *Dagobert* was not therewith ſatisfied, for *Siſenendus* had promiſed, in caſe the Deſign took, to give him a great veſſel of Gold of five hundred pound weight, adorned with Gems and pretious Stones, which formerly had been preſented to *Toriſmund*, King of the *Goths*, by *Ætius*, the Patritian of the *Romans*. *Dagobert* therefore ſends back *Venerandus*, with *Amalgarius*, to demand a performance of the condition. *Siſenendus* very willingly delivered the Veſſel into their hands, but in the way, the *Goths* having had notice of it, took it from them by force, not enduring that their Nation ſhould be deprived of ſuch a Monument. Therefore did *Siſenendus*, in ſatisfaction of the loſs, pay afterward to *Dagobert* two hundred thouſand *Solidi* in Silver, which he beſtowed in building and beautifying the Church of St. *Denis*, a work which put him to very great Expence.

Dagobert ſends an Army in'o *Spain*.

114. Hitherto, with the Affront received from the *Sclavi*, *Dagobert* ſlept ſupinely; but at length awaking, and coming to himſelf, it roſe upon his Stomach, and he could not poſſibly digeſt the Injury. In the tenth Year of his Reign he raiſed a choice Army, and himſelf, in Perſon, reſolved to lead it. Having paſſed through *Arduenna*, the Foreſt, as far as *Moguntia*, or *Mentz*, and being now ready to paſs the *Rhine*, the *Saxons*, though Tributaries, and in perfect Peace with him, yet fearing the Approach of ſo great a force, came and offered their ſervice for the chaſtiſement of the malapert *Sclavi*, profeſſing themſelves ever to be at his Devotion, and without an expectation of Reward, onely they deſired that he would remit the yearly Tribute they paid, of five hundred Cowes, called *Vaccæ Inferendales*, which Petition he granted, by advice of his Counſellours, on this condition, that they ſhould, for the time to come, faithfully protect theſe Borders of his Dominions. Oath hereof was made (as they were wont to ſwear) upon their Arms, but was never confirmed by any Act, though they got free of the Tribute, and nothing came of this expedition. The *Sclavi* therefore finding they had been more ſcared than hurt, the following year renewed their Incurſions into *Thoringia*, which put *Dagobert* upon new Counſels, finding that thoſe former, relating to the *Saxons*, had not ſucceeded. By the Advice of his Counſellours, he ſet over the *Auſtraſians* his Son *Sigebert*, in Name as King, but in Effect Governour, by direction and management of his two Tutours, or Guardians, *Chimibert*, the Prelate of *Campania*, or *Rheims*, and *Adalgiſus*, the *Major* of the Palace. He aſſigned them a ſufficient Revenue, and other things, all which he cauſed to be inſcribed into his Teſtament, and ſealed. Thenceforth, ſo long as *Sigebert* lived, by the Prudence and Induſtry of the *Auſtraſians*, all Irruptions of the *Winidi* were reſtrained.

Collegit leſtam à Francis helle-tortibus Scaram, quam nos turmam vel Cuneum appellare poſſemus. Aimoinus, lib. 4. c. 26.

Scara Teutonica vox, quamvis mylerni Franci eâ utuntur ut Vaucherus in Carolo magno: il commanda aux plus habiles Scares Francoiſes en-clorre par derriere les Italiens, &c.

Quæ ideo, inquit Aimoinus, inferendales dicebantur: ei quid ſingulis annis inferrentur. Ibid.

Sigebert his Son made Governour of *Auſtraſia*, by which means the Incurſions of the *Sclavi* are reſtrained.

Et quacunq; conceſſit teſtamento cuncta inſert as ſigilli impreſſione ſignari mandavit, ubi deinceps, &c. Ibid.

115. In the twelfth Year of *Dagobert* his Reign, he had another Son born by *Nautilde*, his beloved Wife, called *Clodonæus*, or *Hludonicus*, betwixt whom and *Sigebert*, his elder Son, by advice of his Nobles, he deſigned an equal Diviſion of his Dominions. *Sigebert* he left, as now he found him, King of *Auſtria*, and therefore to *Clodonæus* the younger, he aſſigned *Neuſtria* and *Burgundy*, together with the Dukedom of *Deutelenus*, which hitherto had been unjuſtly, as was accounted, poſſeſſed by the *Auſtraſians*, who, though ſorely againſt their Wills, yet for fear of *Dagobert*, confirmed the perpetual annexion of it unto *Neuſtria*. In the Year that followed, News was brought that the *Vaſcons* rebelled, who having been found guilty of the ſame Crime by his Brother *Aribert*, and forced to ſubmit to the yoke, had, after his death, deſpiſed *Dagobert*'s Orders, and infeſted all the Countries adjoyning, with Murthers and Rapine, till *Sadrageſilus* being made Governour of *Aquitain*, reſtrained their Incurſions, and cauſed them to keep at home. But he (whether by the knowledge of *Dagobert*, we know not, who formerly bore him Malice) was privily murthered, and his Sons being idle, or worſe, and not proſecuting with Arms thoſe that were guilty, were in a publick Aſſembly of the *Franks*, as *Aimoinus* tells us, according to the *Roman* Laws, deprived of all his Eſtate, which the King then conferred on the Church of St. *Denis*. He being made away,

The *Vaſcons* forced to beg Peace.

away, the *Vaſcons* thought they might renew their former Trade of Life, but *Dagobert*, as looſely as he had lately lived, would not ſuffer the Affront to paſs uncontrolled, but gathered a great Army out of *Burgundy*, which he committed to the conduct of no fewer than twelve ſeveral Captains. They ingage in Battel with the *Vaſcons*, put them to flight, which done, they waſted their Countrey, and having driven them up for ſhelter into the Mountainous places, returned with Honour untouched, but for one Accident. *Arembertus* one of the Captains as he ingaged indiſcreetly, or ſtaid too long in the Valley called *Robola*, was cut off with the greateſt part of the Nobility, and the old Souldiers that followed him: But *Audoenus* (or *Audonius*) the chief of the twelve who was eminent for many Battels, fought in the time of *Theodorick*, and was now held by all in chiefeſt Rank of Subjects, ſo demeaned himſelf, that the *Vaſcons* were forced to beg Peace, and Promiſe obedience for the time to come; whereupon he drew off his Army. Sect. 3.

Robola Aimoino ſed aliis Subola quæ hodie Sola. Audoenus aliis Condimus.

Vide Orbenarum in Notitia Vaſconiæ, lib. 3. c. 2.

116. *Dagobert* a little elevated with his Succeſs againſt the bold *Vaſcons*, began to conſider who there were, that by the like Fault committed, had merited a ſuitable Puniſhment, which he thought himſelf able now to inflict by means of his lately Victorious Army. The *Britains* of *Aremorica* or *Armorica*, had often made Incurſions into his Dominions, and as well ſince his coming to the Government, as before, had contrary to ſeveral Leagues and Agreements, made great Waſtes and Depredations in the adjoyning Countries. *Dagobert* ſends to *Judicahil* their Prince (or King, as our Hiſtorian calls him) *Eligius* a Perſon of great Prudence and Integrity, by whom he demands Satisfaction might be made for former Injuries, or he muſt expect the whole force, which was coming from *Vaſconia*, would be ſent to fetch it. *Eligius* ſo wrought upon *Judicahil*, that he not onely prevailed with him to conform himſelf to the Pleaſure of the King of the *Franks*, but to come with him to the Court of *Dagobert*, who then lay at the Village *Clippiacum*, where he not onely Promiſed an Amendment of what was paſt, but ſubjected himſelf and his People, to the obedience of the King, and made a perpetual Peace with him. *Dagobert* being now at his eaſe, and having brought to his beck all the Nations round about him, was, as is reported, bettered by his Proſperity, and, contrary to the common Inclination of Mankind, his good fortune kindled in him a Zeal after Piety and true Religion. In a place called *Bigargium*, on the one and twentieth of *April* he ſummoned a General meeting of all the Nobility and Prelates of *France*; to whom, and to his two Sons he ſignified his Intenſions, to leave ſomething to moſt of the Churches within his Dominions, for his Souls health, ordering that of his Teſtament, one Copy ſhould be kept at *Paris*, a ſecond at *Lyons*, a third at *Metz*, and a fourth in his own Treaſury; and charging his Sons to ſee his Will performed, as they ſhould expect the ſame Office of Duty from their Poſterity. Whether he had a Proſpect of death which put him into ſo good a Mood, or by a true Senſe of things he was brought into a due eſtimate of earthly Enjoyments, he died the Year following, of a Flux in a Village called *Spitrogillum* upon the River *Seine*, not far from *Paris* after he had Reigned fourteen Years. Perceiving his laſt hour to approach, he ſent for *Ega* his Councillour, and the Major of the Palace, and to his Care and Government recommended his Son *Clodonæus* with *Nautildis* his Mother, deſiring all the Nobility and Prelates alſo of *Neuſtria* and *Burgundy* to be aſſiſting to them. He died on the nineteenth of *January*, and was with much Solemnity buried in the Church of St. *Dionyſius*, or *Denis* near *Paris*, which he himſelf with very much Charge had built and endowed, about the the fifth Year of the Emperour *Conſtans*, the fifth alſo of *Theodorus* Biſhop of *Rome*, *A. D.* 646.

The *Britains* of *Armorica* ſubmit.

Dagobert dies.

Tillio Spinæum.

117. Hitherto the *Franks* had been Governed by their Kings, who though they had Miniſters under them, by whom they acted; yet had the Adminiſtration ſtill in their own hands. But from this time, the Majors of the Palace reigned in Effect, thoſe Kings (of this Race) which followed, enjoying nothing but the Title, which may partly be attributed to this ſolemn Act of *Dagobert*, whereby as it were he inſtated *Ega* in the Government, and left a Preſident to future times; but eſpecially, it is to be aſcribed to the Sloth, and voluptuous Life of ſome of the Princes themſelves, who being on purpoſe by theſe their Governours, indulged in their ſenſual Courſe of Life had little Mind, and much leſs Ability for publick Employments. *Dagobert* being dead, *Sigebert* continued in the Poſſeſſion of *Auſtraſia*, and *Clodonæus* ſucceeded to *Neuſtria* and *Burgundy*, being called *Ludovicus* the firſt, though *Clodonæus* and *Ludovicus* be the ſame Name, and the firſt Chriſtian King of this Nation, is Conſequently to be called the firſt; but to ſhun Confuſion, we muſt

He is ſucceeded by *Sigebert* and *Clodonæus* his Sons.

Sect. 3. with *Tily* submit to, and follow the vulgar Errour, though some Learned men do call him *Clodonæus* the second. So were his Dominions parted, but his Treasure was all still in the hands of *Ludovicus*, or his Governours. By advice therefore of *Pipin*, who after his Father's death had betaken himself to him, and in Conjunction with *Chumbert* the Bishop, Governed all about him; *Sigebert* sent and demanded an equal Partition to be made of it, which *Lodovick* and his followers not able to refuse, all the Wealth was brought forth, and by *Ega* at *Compendium* was weighed, and an equal division made betwixt the two Brothers, onely a third part of what *Dagebert* had got since their Marriage, was conferred on *Nautild*. This is to be ascribed to the Justice, and Integrity of *Ega*, who indeed was a very worthy Person, and however he was accused of Covetousness, by such as are never suffered with any in Authority, demeaned himself with all uprightness, and procured such things as had been by violence, and without any right taken away by *Dagobert*, to be restored to the right Owners.

118. But to the great loss of the King, in the third Year of his Reign, *Ega* dies of a Fever, and *Erchinoaldus* the Kinsman of *Dagobert*, by his Mother is advanced to his place of the Major of the Palace; a Man given to Peace, of a modest Temper, and exceedingly beloved; things under his Circumspect eye went very well, till by the means of *Nautilde*, who rightly thought it the Interest of her Son and the Nation, not to have too much Power invested in one Man, troubles began unfortunately to arise. Going with him to *Orleance* the *Metropolis* of *Burgundy*, where he received the Acknowledgments and Homage of the Nobility and Clergy, she procured one *Flancatus* a *Frank* by Birth, to be made Major of the Palace for that Kingdom, giving him in Marriage *Ragnoberta* her Niece. *Erchinoaldus* and he joyned together, and kept all *France* in very good Order, administring Justice with all Impartiality, till one *Willebald* a Patritian of the parts beyond the Mountain *Jura*, a Man of great Nobility, and as great Wealth began to stomach, and take it in great scorn to be subject to him, and obey his Orders. He gave sufficient Demonstrations of his disdain, but *Flancatus* took no notice of it, and went with *Clodonæus* to the General meeting held at *Cabillonum*, whither *Willebald* followed with so great a Train as seemed to threaten a War, or some great design he had formed in his Head. Yet would not he enter the Palace, knowing what advantage his Enemy might there have against him, which *Flancatus* perceiving, went toward him with intension to kill him where he was, but he was diverted by the advice and Intreaties of *Amalbert* his Brother, though onely resolved to defer the Revenge, and wait some more convenient occasion. This was given him within a little time: *Nautilde* the Queen dying this Year, whom they buried in the Church of St. *Denis* by the King her Husband.

Nautilde the Mother of *Clodonæus* dies.

119. She being buried, he carries the King from *Paris* to *Autun*, accompanied with *Erchinoaldus* and several other Noblemen, where a Summons is sent for *Willebald* speedily to appear: He suspects the matter, and not daring to disobey the King's Commands puts himself upon the way, but with a strong band of Men, and a Messenger meets him, to persuade him to hasten to his Prince his Presence, and to Promise him all security, both in coming and returning, He holds then on his Course; but to make all as secure as he could, he sends before one *Agilulfe* a Bishop, and *Wisco* a Count, to discover how matters stood, and to give him speedy Intelligence. But *Flancatus* causes them to be secured as soon as they had entred the City, and then with a strong party hastens out against *Willebald*, who encounters him, and makes stout opposition, but is slain manfully fighting at the Head of his Troop, and his followers killed or put to flight. *Flancatus* having plundered the Camp, returned to the Court, but the next day left *Autun*, and went to *Cabillonum*, where he had not staid two days, but the Town hapned to be on Fire, which it seems kindled such a Fever in his Veins, that being carried by Boat down *Arar* is to *Dijon* there he died, and so had but small time as well as any real cause to rejoyce in the Revenge he had taken upon his Adversary; so went matters in *Neustria* and *Burgundy*, through the Minority of the King, and the too great Power and Interest of a particular Subject. In *Austrasia* things were not in a much better posture, occasioned by the Death of *Pipin* the Major of the Palace, who left a great miss of him to the People. He had a Son called *Grimoaldus*, a Person of great Courage and very active, who for his Father's sake was in high Favour, both with Prince and Subjects, and he worthily seemed to appear as a Candidate for his place. But there was in the Court one *Otho*, who by his Familiarity with *Sigebert* (whose Attendant and Play-fellow he had been in his Infancy) thought to

to obtain the Office, and having ever before emulated and hated *Grimoaldus*; now he Sect. 3. shewed it openly, and made all opposition he could against him. But the Fame and Reputation of old *Pipin* prevailed, and though he could not now expell him the Court, yet *Grimoaldus* procured him afterward to be slain, and succeeded his dead Father in his Employment.

120. *Grimoaldus* being setled in his place, *Sigebert* the King ingaged himself in War upon this occasion. *Rodulphus* the Prince of *Thuringia*, having been formerly a Vassal and Tributary to this Kingdom of *Austrasia*, now despised *Sigebert*, and contracting a strict League and Alliance with the *Sclavi*, denied obedience. *Sigebert* taking this in great disdain, levied a strong and numerous Army, and therewith having passed the *Rhine* gave Battel to *Faro* the Captain of the *Thuringians* and quite defeated him. *Rodulphus* upon this retires to a strong Fort on the top of the Mountains, and *Sigebert* follows and closely besieges him, with intensions to take him, and put an end to the War. But a Council being called to deliberate what Course should be taken, some, and those the better sort, were for storming the Castle; others, amongst whom were *Grimoaldus* and *Adelgisilus*, were for delaying the thing, and drawing out the matter into a tedious Siege, and accordingly while the other party was ready to set upon the Fort, they withdrew to their Camp, and there fortified themselves, having the King with them. *Rodulphus* all this while was not asleep, nor wanted Intelligence: By some Fugitives understanding what difference there was risen amongst the Besiegers, he took his best advantage, and fell upon them with such Execution and Success, that he put them all to flight that survived the great slaughter which he made, and forced the *Austrasians* remaining with their King, to accept of his Service and Obedience as it had formerly stood, which indeed signified as good as nothing; he being in Name a Tributary, but in reality an absolute Lord and Independent of any other. After this, *Sigebert* spent the rest of his days in Peace, but wanting Children lay open to the Arts and Projects of his Major of the Palace, who persuaded him to adopt his Son *Ildebert* by Name, to which he was drawn, partly by Inconsiderateness, and partly by that Respect, if not awe or fear which he bore to the Name of *Grimoaldus*. But after his Adoption was over, the King had a Son born, whom after his Grandfather he named *Dagobert*, and died not long after he had Reigned ten years. *Sigebert* being dead, *Grimoald* shaved the young Child for a Monk, and delivering him to *Dido*, the Bishop of *Poictiers*, who was travelling into *Scotland*, proclaimed and maintained his Son *Ildebert* for King.

The *Thuringians* rebell against *Sigebert*.

King *Sigebert* dies.

121. This was for a little time, but then the Nobility of the *Franks* taking it in high disdain to be subject to one of his Condition, rose up in Arms, and seizing on *Grimoaldus* brought him before *Clodonæus* the King at *Paris*, by whom he was Sentenced to death as a Traitour, and Execution accordingly was done upon him in a severe manner. *Clodonæus*, or *Ludovicus*, from a Prince of good hopes fell into the great displeasure of the People, giving up himself to all Excess of Gluttony, Wine and Women, for which nothing can be pleaded in his excuse, but that toward his latter end he was crazed in his Brain, onely our Authours were Church-men or Religious Persons, and upon that Account they bore him no Good Will for some Reasons, we shall discover in their proper place. He Reigned sixteen Years, and by *Baltilde* his Wife a *Saxon* by Birth, both a beautifull and Vertuous Person; he had three Sons, *Clotair*, *Childerick*, and *Theodorick*, whereof the Estates proclaimed *Clotair* the eldest King in his stead, and made his Mother Regent, or rather joyned her in the Administration with *Erchenoald* the Major of the Palace. Matters seemed now to be in a setled Condition, when to the mischief of *France*, *Erchenoald* dies, and after a great Contest; his place is conferred on one *Ebroinus*, a Man of neither Conscience nor Honesty, who for a while covered his Inclinations and Designs by Dissimulation, fearing the Queen, and not altogether secure of the young King's Favour. But the King dies, when he had scarcely Reigned four Years, and by his Death gave occasion to the Major of the Palace, to bring about what he had designed. The Nobility and People were for *Childerick*, the second Brother to succeed, but he and the youngest most for his purpose, and in despight of them preferred him to the Title: *Childerick* being sent as King into *Austrasia*, under the Tuition and Conduct of *Vulfoaldus* a Duke. But the Nobility could not swallow this Indignity. They rise in Arms, and laying hold on *Theodorick* cut off his Hair, and depose him; and as for his Minister *Ebroinus*, they shave him too, and put him into a Monastery. Then send they for *Childerick* out of *Austrasia*, and with universal Applause they make him King. But they did

Clodonæus dies.

Clotair succeeds.

Who dies.

Theodorick being shaven.

Childerick is made King.

Sect. 3. not their Work for all this: They had not made sure enough of *Ebroinus*. And as for their new King, he fell into all sorts of Debauchery, and so Proudly and Tyrannically demeaned himself, as gave them cause rather to repent of what they had done, that they had made such a choice, as did not in the least answer their Expectations.

122. For some time yet things were kept from extremity by *Leodegarius* the Bishop of *Autun*, whose Wisedom and Sanctity struck some Reverence into the King, so as he ran not to such Excess of Riot, as else he would have done; and gave such force to his Words, as made them prevalent to keep the Nobles in their Duty and Alliance. But he being quite tired out, withdrew from Court to his own See, and then, as if the Bank or Fence had been removed, a Deluge of mischiefs broke in, and bore down all before them. The Debauchery, Pride, and Tyranny of *Childerick* increased, and with them the disdain and impatience of his Subjects. One of the Nobility *Bodilo* by Name, he caused to be tyed to a Stake, and beaten like a Slave for some frivolous matter, which put them into such a Rage that they conspired against him; but *Bodilo* prevented all other Designs, by meeting him in a Wood, as he was diverting himself with a very small Train, and there killing him; which done, he cruelly Murthered *Bilitilde* his Queen, though great with Child. *Childerick* being thus made away, they pull *Theodorick* out of his Cell, and restore him to his former Estate. *Leudesius* the Son of *Erchinoald* they make Master of the Palace, by the advice of *Leodegarius* the Bishop, and *Gerinus* his Brother, and this they doe in haste to prevent the recalling and Restitution of *Ebroinus*, towards whom they had ground to believe that the King's favour still continued. But *Ebroinus* resolved to render this Policy insuccessfull, and though there was not means left to out-wit them, yet to doe that by force, which Cunning and Art could not effect. He casts off his Cowl, abjures the Monastical Life, and gathering together a multitude of his Friends sets upon the Court, overtakes the flying King at *Carisiacum*, after he seized his Treasures, and taking upon him his former Employment, kills *Leudesius*, tortures to death *Leodegarius* the Bishop, with *Gerinus* his Brother, and having put to Death many others, banishes the rest, and Confiscates their Estates. This done, he permits *Theodorick* to enjoy his Life with the Title, but usurps the whole Power and Authority over the Kingdom.

Childerick is slain, and *Theodorick* restored.

123. In the mean while *Austrasia* was governed by *Vulfoaldus*, who after the Death of *Childerick* had fled thither, and he dying soon after, by *Martin* and *Pipin* the Sons of *Ansegisilus* a Noble man. They had not been long in Power, but they began to consider the Greatness, and demeanour of *Ebroinus*, and as well for prevention of mischief intended toward themselves, as to yield to the Importunity of the *Franks*, who groaned under his Tyranny, levied an Army with resolution to bring him to Condign punishment. They marched toward him, and he being aware of their Design had made good provision for a Battel, wherein he defeated them after a great slaughter on both sides, and they fled for their Lives; *Pipin* into *Austrasia*, and *Martin* to *Laudanum*, where he fortified himself, which *Ebroinus* hearing sent and invited him to Court, promising him not onely his Life, but other matters of great Consequence, but could not overcome him without the Strategem, he was wont to use in all other Cases. He caused Oath to be made for his Security, upon the Relicks of some Saints, as was imagined, but there were in Truth no Relicks there, onely empty Coffers; and therefore accounting this no Oath, he Circumvented *Martin*, and caused him to be Murthered with all his followers. Being now as he thought pretty secure, he had leisure to meditate what farther Course he should take, for gratifying his Ambition and his Cruelty. There was one *Ermenfrid* a *Frank*, who was a great Eye-sore to him, and he resolved to remove him out of the way, which being made known to him, *Ermenfrid* resolved to begin with him, and preserve his own Life by the Death of his Enemy; at the worst, he could but perish. He was so prosperous in his Enterprize, that rushing upon him when he least thought it, he easily killed him, and not well assured of impunity for the Fact, fled to *Pipin* into *Austrasia*.

Civil Wars at home.

124. He being Dead, the *Franks* with the King's consent, made choice of one *Warato* to succeed him, who for securing his Employment made a strict Alliance with *Pipin*, from whom he received Hostages for his Faith and Sincerity. Thus was he secure as to matters abroad, but in his domestick Affairs was very unhappy. He had a Son called *Gislemar*, a young Man of a furious Spirit, impatient of quiet, and as undutifull as could be imagined. He takes the Reins out of his Father's hands, and will needs manage the Kingdom. He breaks the Alliance made with *Pipin*, makes

Sect. 3. makes War upon him, brings the Kingdom into great troubles and inconveniences, but for his undutifulness, and other Sins, as our Authours observe, was smitten by God Almighty, and called to give an account in another World. He being removed, his Father reassumed the Government, and managing matters very calmly and prosperously, died after some time, leaving behind him *Ausefledis* his Wife, a Woman very Nobly descended, and of very great Parts. She procures *Bertarius* her Son-in-Law to succeed him, one that was as mean in his Intellectuals as he was in his Person and Stature, to which, though the *Franks* at first consented being it seems surprised, yet afterwards considering how bad a choice they had made, they fell into a Mutiny, of which *Pipin* takes advantage, and invades the Kingdom with a great Army and such success, that he defeated *Bertarius* in Battel, and forced both *Theodorick* the King and him to run for their Lives. Yet did he use this Victory moderately, for no harm do we hear that was done, but *Bertarius* not long after was slain by his greatest Flatterers, and that through the instigation of *Ausefledis*, who was ashamed she had preferred a man so despicable. He being gone, *Pipin* was sent for out of *Austrasia*, and made Major of the Palace, the whole Government of the *Franks* being now in his Hands. But he judged it most for his interest to reside in *Austrasia*, and therefore left one *Nordebert* as his Deputy with the King, and returning, of the two Sons he had by his Wife *Plectrudis*, *viz. Drocus* and *Grimoaldus* he made the former being the Eldest, Duke of *Campania*.

Theodorick dies.

125. *Theodorick* at length Dies, after he had Reigned some say nineteen years, some almost three and twenty, and others no fewer than twenty eight. He left by *Clodoilde* his Wife two Sons, whereof the Eldest though a Child *Clodomæus* by name was King in his stead, but died after four years, and *Childebert* his Brother succeeded in his Title being very hopefull. Shortly after *Nordebert* also leaves the World, and then *Grimoaldus* the younger Son of *Pipin* is made Major of the Palace. *Pipin* having thus the whole power of the *Franks* in his hands, and secure at home, resolved by his Victorious Arms to make himself terrible to his Neighbours. He first set upon the *Frisii* an ancient people of *Germany*, situate upon the Ocean beyond the *Rhine*, the Prince of whom *Radbodus* a Pagan he overthrew in Battel, which done, he subdued the *Suevi* and other sorts of People, of which our Authours have not left us so much as the names, so negligent were they in Writing, what their Ancestours were so industrious in performing. But the joy and triumph of *Pipin* for these publick felicities were within some time interrupted by Domestick sorrow. *Drocus* his Eldest Son departing this World without Issue, and he himself falling sick not long after, his other Son *Grimoaldus* coming to visit him was Murthered by *Langarius* a Pagan and attendant on *Radbod*. *Grimoaldus* Married the Daughter of this *Radbod* the Prince of the *Frisians*, but by her had no Children, onely one Son by a Concubine named *Theudoaldus*, whom his Grandfather procured to succeed in the Office of Major of the Palace. In the mean time *Childebert* dies, *A. D.* 718. after he had Reigned thirteen, some say seventeen, but others twenty years, a Prince both of good Morals and Intellectuals, however rusted over by idleness, and clouded by the extravagant Authority of the Majors of the Palace. He left a young Child called *Dagobert*, who succeeded to the naked and empty title of King.

Childebert succeeded him.

Childebert dies.

Dagobert succeeds.

Sepultus est Ariebatbur in ade Vedasti ubi ex vndè at incisa in antiquum lapidem elogio apparet uxorem illi fuisse Dodam nomine, sic enim habet.

Rex Theodoricus ditans ut verus amicus
Nos ope multimoda, jacet hic cum conjuge Doda.

Vide plura apud Papirium Massonum, p. 83.

Aimoinus & Annales ab Ann. 714. Usque ad Ann. 82. ab Annymo sed vetusto Auctore scripti & à Petro Pithoeo editi unde authoritatem Annales Pithoeani Audiunt. Sed eosdem titulo Annalium Fuldensium recudendos curavit Margnardus Freherus cum aliquot Annorum Accessione. Auctor vixit Moguntiæ Lotharii imperante Rabani Mauri ævo.

126. At length *Pipin* having been King in effect, or King of those Kings for the space of seven and twenty years and an half, as *Aimoinus* computeth, breathes out his Soul in the heats of a very acute and brisk Fever. He being dead, *Plectrude* his Wife had the courage to seize upon the Government, making use of the names of King *Dagobert* and *Theudoald* her Nephew the Major of the Palace. The *Franks* either surprized or to trie conclusions, for some time were silent, not disdaining to be commanded by a Woman, and she so ordered her matters as by one means or other to keep them in obedience. Having as she imagined setled her self in the Government, she began (as well she might, being very old) to think of Death, and how to establish her power in the hands of her own Relations. Her Husband by another Wife, (rather by a Concubine,) had a Son called *Charles*, a Man excellently qualified for the greatest business, the more therefore she had him suspected, and

Aimoinus passim eum Principem appellat.

De eo sic Aimoinus: Habuit quoque præfatus Princeps Pipinus filium ex alia uxore nomine Carolum Virum elegantem, egregium atque utilem. Plerique tamen eum spurium asserè dicunt cui mater fuit Alpaïs concubina quæ Pipino Herstillio peperit etiam Childebrandum patrem Nebelungi: qui Nebelungus scripsit chronicon eodem tipis Editum ut Quercetanus in sua Hist. Burgundiæ, l. 2. c. 1. tradit. Alpaïs verò demum pœnitens, Orpii in Gallo-Brabantia Monasterium struxit, in eoque ut credebatur veteris vitæ delicta eluit, & Hungardiense Canonicorum Collegium inchoavit, Miræus in Chron. Belg.

this

Sect. 3. this jealousie added to the usual passions of a Stepmother, so far transported her as to lay hands on him, and commit him to close Custody. But thence rose her Troubles, whence she promised her self the greatest security. As well as she thought she had ordered her matters with the people, and secured their fidelity, such as either had been disobliged by her Husband, or were now tempted by their own ambition began to repine first, and afterward openly to declame against the present posture of Affairs, and in conclusion, raised such tumults as procured a War wherein her party was born down, *Theodoald* hardly escaping with his Life from a Battel, fought in the Wood called *Cocia*. Hereupon the Victours despising his Title, chuse for their Major of the Palace one *Reganfredus*, and entring into an offensive and defensive League with *Rathode* the *Frisian*, they invade *Austrasia* with a great Army, wasting all things as far as the *Meuse*, while *Plectrude* keeps her self close in *Coloine*.

Who dying *Daniel* or *Chilperick* is set up.

127. Not long after dies *Dagobert*, after he had Reigned some five years, leaving a Child behind him who was Nursed in a Monastery. The *Franks* waved him because of his Age, and gave the Title of King to one *Daniel*, a shaven Clerk, whose name for greater grace they changed into *Chilperick*. *Reganfredus* still thought it his interest to weaken, and if possible, to destroy the remainders of *Pipin*, his interest and power in *Austrasia*, and for that purpose levied another Army. But he presently found he had not to deal with a Woman onely. There was a Youth sprung from the Loins of *Pipin*, who had so much courage as to bid him defiance and strenuously to maintain his Father's cause against all opposers, even *Charles* whom we lately mentioned, who proved the *Achilles* of the *Franks*, and the *Mars*, or rather if you will the Marteau or Hammer of all their Enemies. He had escaped out of Prison, and wound himself out of the hands and devices of *Plectrude* his Father's Wife, which having done, he could not be idle nor suffer the Enemies of his House to doe their pleasure without resistence. He raised an Army, and made Head against them, but it was his fortune to be bred a perfect Souldier, and therefore he must lay the Foundations of his Military excellencies in adversity, being in the first ingagement defeated, and forced to run and shift for his Life. The Enemy incouraged by this success, and smiling at the attempts of this young Adventurer, renewed their Hostilities, and the second time carried their Victorious Ensigns as far as the *Rhine* and *Coloine*, destroying all things in their passage, and forcing *Plectrude* to redeem the liberty of that City, and her own Life with a vast Sum of money. Yet did *Charles* lie in ambush, and setting upon them as they returned, loosely and without all care of Order or apprehension of Danger, made great slaughter of them in their retreat, at a place called *Amblana*. This they looked upon onely as a misfortune, altogether accidental, and far from the product either of Valour or good Conduct, and therefore to chastise him who durst offer such an indignity to the King of the *Neustrians*, they make new levies and oblige *Charles* to trie his fortune, and shew his prowess the second time. He offered them good terms, and desired to compose the difference betwixt the Kingdoms, but they were bent upon a Battel, as not doubting to put an end to his Life, his boldness and the War altogether. But in the Battel (which was fought at a place called *Vinciacum* the Lord's day before Easter,) they were defeated, and Victorious *Charles* after he had pursued the flying Enemy as far as *Paris*, remembring he had an Enemy at his Back, returned and besieged *Plectrude* his Stepmother, as some call her, in the City of *Coloine*.

A. D. 723. *Annal. Pith. Aimoinus.*

Vinciacum in Pago Camaracensi hodie est villula vulgo la cense de Vinci, ad Altercum Sancti Autberti Camaracensem pertines, sita prope Crequi dium oppidum.

128. He had no passion in him, which tempted him to destroy or deface the Town, and therefore set upon it with arguments and good Language, whereby he so won upon the Inhabitants, that notwithstanding all the opposition she could make, he had it delivered up to him, and therewith his Father's Treasures which were great at his Death, but were now much increased by her parsimony and scraping. Having dismissed her with expostulations onely and rebukes, for the humour she bore of a true Stepmother, he began to consider how to establish himself, and finding his interest too weak, either to assure the Title and Government of a King both together, or the Power and Authority without such a Title in some Person, he complied with the humour of the times, and as in *Neustria* they had such an Image they worshipped, so in *Austrasia* he set up the like Idol, giving the name of King to one *Clotair* descended of the bloud Royal, but how, and in what degree we find not expressed. The *Neustrians* now perceived they had no Fool to deal with, but forasmuch as his Authority was but green and fresh, they concluded it was to be suppressed, before it should arise to maturity, and knowing he was not to

Clotair made King in *Austrasia*.

Sect. 3. to be despised, they strengthned themselves with the accession of *Eudo* the Governour or Duke of *Aquitain*, who not onely commanded the *Vascons* that had broke into this Countrey, but having governed the bordering Regions of the *Volcæ* both inferiour and superiour, for the King of *Spain*, when the interest of that Crown went to wreck, had repressed the insolence of the victorious *Saracens*, and now held them in his own Right. He was willing enough to engage in the Controversie, though it had been for no other reason than to divert the *Franks* from the incroaching *Vascons*, and to cause them to spend their fury one upon another, joyning therefore with *Erganfredus* they began their march, *Charles* was aware of their coming, and would not so far gratifie either their Ambition, or discourage his own men, as to suffer them to pierce into the Bowels of *Austrasia*, and make that the Seat of the designed War, but met them and gave them Battel with such industry and Conduct, that he routed their Army, and forced them to flie to *Paris*, whence *Eudo* carried the King *Chilperick* and his Treasures with him as far as *Orleance*, and thence by degrees returned into his own Countrey with great difficulty, *Charles* still pressing him at the very heels.

Clotair of *Austria* dies.

129. He being got safe home, *Charles* thought it not prudence by an Invasion, too much to provoke those Warlike Nations which he ruled, especially at this time, when he understood that *Clotair* whom he had advanced to the title of King was lately Deceased. That he might not want another mock King, to keep the People in good humour, (which could not be without the diversion of such a Pageant,) and to be a Rival to the like mock Prince, *Daniel* or *Chilperick*, he indeed thought it best to retreat, but yet in his passage thought fit to set upon *Audegaunum*, whither *Erganfredus* had betaken himself after the Battel. He took the City, and therein his Enemy, whom all men expected he would dispatch out of the way, not onely out of desire of Glory as his Æmulatour, but out of a principle of self preservation, and from the immediate Dictates of natural Policy. But his Heroical Disposition, and his innate Generosity and Courage, being inconsistent with all dark Clouds of jealousie and fear, he not onely gave him his Life, but the Government of that Town wherein he took him. Shortly after this he made Peace with *Eudo*, receiving from him *Chilperick* the King, though not all his Treasures. *Chilperick* died not long after, in the sixth year of his Titular Royalty, which caused *Charles*, for that the temper of the times so required, to fetch the Son of *Dagobert* out of the Monastery of *Cala*, where we said he was bred, and to give him the Honour of King, which he bore by the name of *Theodorick Cala*, this addition for Destinction sake being given him from the place of his Education. He either through the arts of *Charles*, usual to all the Majors of the Palace, or his own dull and slow disposition, gave himself up to sloth and idleness, not regarding any thing tending to Government. Therefore *Charles* having now in his hands the whole power of the *Franks*, and being secure at home, cast in his mind how he might obtain glory and renown by foreign Conquests.

Chilperick of *Austria* dies.

Theodorick Cala made King of *Austria*.

Hadie Chelles in agro Parisiensi, A. D. 729.

130. His first adventure was against the *Saxons*, whom e'er they could perfect a designed Revolt, he surprised and forced to return to their former obedience. A year had scarcely passed after this Victory when he was called into *Germany*, where work was made for him by *Plectrude* his Stepmother, whom with *Sinichilde* her Niece, he had dismissed after the Siege of *Coloine*. Carrying with her her old novercal hatred, (which an act of so great generosity as he had shewed toward her could not diminish,) into the inner parts of that Countrey; she stirred up the several Nations against him as a Bastard, who had banished his Father's true and legitimate Wife in her old Age, to beg her Bread in a strange Land. She so moved the hearts of the unwary Multitude, that *Charles* perceived there was a Storm impending, and to drive it off from his own dore, resolved to pass the *Rhine*, and suppress them e'er they could be quite prepared. Without much labour he effected this upon the *Alemans* and *Suevi*, and passing as far as the *Danow* up the Countrey, wasted *Bavaria*, and besides many others, with rich spoil brought *Plectrude* and *Sinichilde* away Prisoners. Such were the beginnings of *Charles*, which being Crowned with success, inabled and prompted him on to greater matters. *Eudo* repenting it seems of the League and Alliance he had made with him, out of confidence of his own strength, and the assistence he could procure out of *Spain*, utterly renounced it, which as soon as he perceived, judging expedition the greatest advantage in all performances, he thought it requisite to begin first, and passing the *Loire* speedily invaded *Aquitain*. *Eudo* either surprised, or to let the heat of his fury abate, retired into the most fortified place he had, and suffered him to harass the

The Saxons reduced to obedience.

The Countrey of the Alemans Suevi and *Bavaria* wasted by the *Franks*.

De Plectrude nihil aliud nisi quod vitæ à Carolo accepta demum finem imposuit & sepultra est Coloniæ Agrippinæ ubi tumulus ejus ostenditur sic inscriptus:

Legali thalamo Plectrudis junctæ Pipino Dregonem genuit, magnimque ducem Grimoaldum.

Sect. 3. the Countrey at his pleasure, which daving done, with much booty he returned home.

131. *Charles* thus trained up, and prepared for great Atchievements, a most considerable Subject shortly after presented it self, whereon he must make a trial of his Valour and Conduct, and this was a War he was forced to undertake with the victorious and terrible *Saracens*, who having subdued a vast part of *Asia* and all *Africk*, had transported their victorious Arms over into *Europe*, and made themselves Masters of the *Gothick* Kingdom in *Spain*. The Reader must know, that most Authours the ancient especially write, that *Eudo* to be revenged upon *Charles*, and to put a stop to the Carriere of his good Fortune, invited them first into *Gall*.

An Invasion of the *Saracens*.

Others affirm, that from *Spain* they invaded the *Vascons*, *Aquitain*, and the Province of *Narbon*, and having defeated *Eudo* himself, next invaded the Territories of the *Franks*, having passed *Garumna* or the *Garonne*. Considering the fierceness of the People, the success they had had in *Spain*, the hopes which their good fortune, together with their numbers, (whereby they bore down all before them,) had raised in them, and the Rapacity of the Nation, we cannot but incline to their opinion, who think that they needed no invitation, but having overrun all as far as the *Garonne*, were by their own desires induced to make a trial upon the *Franks*, the rich Territories of whom they had some kind of reason to promise to themselves. However it was, that having once passed that River they took *Burdeaux*, and having burnt all Churches, as well as other things they could not carry with them, that thence they marched to *Poictiers* is agreed on all hands, where having dealt in the same sort with the Church of St. *Hilary*, they held on their course to handle in the same manner that of St. *Martin* at *Tours*. But here *Charles* put a stop to the progress of their Confidence, having raised as considerable an Army as all *Austrasia*, *Neustria*, *Burgundy*, and other parts could afford, the flour of the Nobility, as well as the strength of the Commons flocking to him; forasmuch as the Controversie now in hand, was not on their part for Glory or Dominion, but their very Lives and Fortunes, and what was dearer to them their Religion, for those Infidels having thus far proceeded, and destroyed Christian Worship, *France* is now the Wall and Rampart to stop their Current, else all Christendom must speedily be overwhelmed.

Aimoinus Annal. Pith.

132. To what number of men his Levies amounted is utterly uncertain, those Writers who have taken upon them to be Publishers of his worth, having transmitted but a mere scantling of his Actions, and an unperfect account of his great performances to Posterity. As for the *Saracens*, we are told they were no fewer fighting men than four hundred thousand, besides Women and Children, for in *France* they intended to plant themselves. Now some will have it that *Charles* and *Eudo*, by common danger were induced to an hearty accommodation of their Differences, and with joynt force to attacque this stupendous Multitude. Near to *Tours* they met them, where *Charles* so formed his Battalia, as to place his Horse, wherein his greatest hope remained, in two Wings to protect his Infantry, which else might soon have been overrun and troden down by the numbers of the Enemy. The method that was used in fighting, we cannot describe, neither the particular passages in the Battel, because we resolve not to write Romances, nor to imitate the Modern *French* writers, who devise Harangues of Generals to their Souldiers, and feign such stories as possibly might agree with the nature of the Enterprises whereof they write, but have no Foundation in any Monuments of the Ancients. 'Tis certain *Charles* had the better which way soever. There are that tell us, that while he strugled with the confused Multitude, *Eudo* set upon their Camp, and plundring the Baggage, and killing some of the weaker Sex and Age which there they had left, the Women made such an hideous lamentation, that their Husbands hearing it, were put into such a disorder, as gave sufficient opportunity to *Charles* to doe effectual Execution upon them, and then *Eudo* coming in and falling upon the Rere, the Victory in prospect before was fully completed. *Abderaman* the King of the *Saracens* or *Moors*, (for so also the Reader must take notice they are called in Authours from *Mauritania* whence they came,) was slain and with him three hundred and seventy five thousand of his followers as some compute, who to take off from the wonder tell you, that the Battel was fought on both sides with that Animosity, that fifteen hundred *Franks* also perished, amongst whom many of the choicest of the Nobility. Time has been ingratefull in burying in Oblivion the gallant demeanour of particular Persons, but doubtless many deserved exceeding well, and *Charles* most certainly who obtained the Sirname of *Martell* or *Hammer*, from this Victory

Who are overthrown by *Charles* the Major of the Palace.

Pallus eo prælio trecenta hostium & septuaginta millia occidisse auctor est Eudo literis ad Gregorium secundum Papam (quarum mentio fit in vita ejusdem Gregorii) trecenta septuaginta quinque millia.

Martell a Francis hodiernus, an Hammer.

ry which indeed deserves to be eternized, (and he by it) as having prevented infinite mischiefs wherewith the Christian World might else have been overwhelmed. Sect. 3.

133. Yet though he had got such a Reputation by this and his other Victories, and had the whole management in his hands, did he not take the title of King, but left it to *Theodorick*, contenting himself with that of Prince, which our Authours give to him, as to his Father *Pipin*. Having now secured *France* as to matters abroad, like a good Prince, he resolved to free it from all intestine Distempers, and for that purpose made a progress into *Burgundy* first, as having most need of his helping hand, where he delivered the Borders into the hands of *Leudes* or *Feudataries* for its better security, and made especial provision for the safe keeping of the City of *Lyons*, the Key of the Countrey. While he busied himself in those and the like matters; it happened that *Eudo* the Duke of *Aquitain* died, whereupon he burnt with a vehement desire of adjoyning that Region to the Dominions of the *Franks*, and the thing being approved by the Nobility, he raised an Army, passed the *Loire*, and thence marching to the *Garonne*, made himself Master of *Burdeaux*, and a Fort called *Blanium* (now *Bloye*,) and so in order of all the Countrey, notwithstanding the resistence of the three Sons of *Eudo*, one whereof, *Aznar* by name, went to seek his Fortunes in *Spain*, where having overthrown the *Saracens*, and subdued many Towns, he laid the Foundations of the Kingdom of *Aragon*, which for many Ages continued subject to his Posterity. *Charles* was scarcely returned from this Expedition, when news was brought him that the *Frisians* rebelled, whereupon he rigged up a strong Fleet, and having seized on *Amistrachia* and *Austrachia*, two Islands belonging to that People, passed up the River *Burdo* into the middle of their Territories, where in fight he overthrew their Captain *Radbode*, (some say *Popo*, for that *Radbode* was dead,) and then destroying their Pagan Temples with other Monuments of Idolatry, with great spoils and as much fame returned into *France*, which now stood in great need of his Presence. A great multitude of People out of the Western parts had poured themselves into *Gall*. *Aimoinus* makes onely mention of the *Vandals*, who he saith destroyed Churches, subverted Monasteries, took Cities, pull'd down Houses, demolished Castles, and made slaughter of an innumerable multitude of men.

Aimoinus, lib. 4. c. 53. &c.

Aquitain added to the Dominions of the *Franks*.

The *Frisians* corrected for Rebellion.

Burdo nonnullis Amisia fluvius est. Radbodus iste Frizonum seu Rex sive Princeps mortuus est Idololatra. Inde Belgii Rabbont idem est ac Nequam boaternum usque ad eum usque.

134. Others make this Invasion the product of the Revenge, and machinations of *Eudo's* other two Sons *Hunnold* and *Gaifer*, who while *Charles* was employed abroad, invited the *Moors* and *Spaniards*, especially those of the Province *Bætica* to make an Inrode, propounding the Plunder of rich Provinces, as a reward of their Travel, and wished success, not in the least to be doubted over a most contemptible People if compared with themselves. Whatever gave the occasion to the Invasion, like a furious Tempest it bore all down before it, sparing as to Persons neither Sex, Age, nor Condition, nor as to places, and things either Sacred or prophane. They proceeded as far as *Lyons*, wasting all the Countrey far and wide, yet *Vienna* or *Vienne* by wonderfull providence escaped their fury, to which at length a stop was put by the *Senones*, the Bishop of whom *Ebbo* by name fortified himself in his City, and so cheared up the hearts of his People, that in all Assaults they still had the better, and when the Besiegers had lost many men, and were all quite tired with their frequent Attacques, he caused such a sally to be made, as after very great slaughter obliged them to quit their Posts, to raise their Siege, and to be gone. *Charles* had hereby the work half done to his hands, for setting upon them when they had lost many of their men, and even all their Courage, he easily expelled them out of all the Coasts of *Burgundy* and recovered *Lyons*, which done, and the Countrey setled, so as might best secure it against all future Inrodes, he returned into *France*, for so they call *Austrasia* and *Neustria*, as contradistinct to the other Dominions of the *Franks*. Here he could not rest, but conceiving himself affronted by the Refractary *Saxons*, who refused to perform the accord formerly made with them, with great expedition he passed the *Rhine*, and speedily reduced them to obedience.

The Rebellious *Saxons* once more chastised.

135. Thus prospered *Charles*, and flourished in Martial Glory, carrying Victory along with him whithersoever he had occasion to move. But in the late action with the *Saracens*, his hands more than his Head (although they not very much neither) seem to have been employed. For the mischief arising from the Sons of *Eudo*, he was concerned in policy to have passed into *Septimania*, and to have cut off the source and Original of it by suppressing them and their Interest, but either his great Inclinations to the War with the *Saxons* carried him away, else some reason

Sect. 3. we are not able to discover, or he committed this Errour through Inadvertency, of which the wisest of Men are not always guiltless. Whereever the fault lay the Causes remaining the same, speedily produced the same effect, for *Eudo's* Sons, irritated with the late defeat, now drew into Confederacy *Mauricius* the Count of *Marseilles*, one who envied *Charles* his Glory and Authority, and all of them in conjunction together, invite *Ancupa* the new *Moorish Governour of Spain*, (who was as ambitious to propagate his Mahometan Superstition, as to inlarge the bounds of the *Saracenian* Power,) to make a new Invasion, promising him great matters in case he were Master of the City of *Avinion*, which they affirmed would secure the parts of *Septimania*, and the whole Province of *Narbon* unto himself. He being with them in a manner as soon as called, had by the means of *Mauricius Avinion* betrayed into his hands, and as the Rampart and Bulwark of these Countries used his utmost endeavour to fortifie it. *Charles* having notice, hastned his Levies as much as he could, but resolving not to be too hasty, staid till he could form together a sufficient Army, and in the mean time to be doing and divert the Enemy, sent away *Childebrand* (his Brother or Kinsman) with considerable Forces.

The *Saracens* again invade the Countrey of *France*.

136. He was not long behind them, but coming up with all speed sate down before the City. Here after some Consultation he resolved to try it by a way of Storm, as more convenient for his Designs, and suitable to his Disposition, than a tedious and lazy Siege. And his provisions of Ladders and Engins were so good, his Courage so great, and his Dexterity so successfull, that notwithstanding the Defendants made very stout opposition, yet he carried the place, having promised the Plunder of it to his Souldiers, as a great means to animate them. Having here setled matters as he saw convenient, he pursued the flying *Saracens*, and passing the *Rhone* invaded the late Territories of the *Goths*, wherein he besieged *Narbon* their Metropolis, and therein *Athima* the Moorish Captain, for all this tract or the *Inferior Occitania* the *Saracens* had lately subdued. Here he found he had not so doe with *Avinion*, a City situate in an Hilly Countrey, and very convenient to assault and batter. *Narbon* was seated in a moorish Ground incompassed when the Inhabitants pleased with water, besides fortified with a very strong Wall, and by a most select Garrison of *Saracens*, who fought not as they had done at *Avinion*, for Booty, Conquest and Reputation; but for their Lives and Liberties, for all that was neareſt and deareſt to them. *Charles* therefore perceiving he must starve them out, accommodated himself accordingly, drawing a Line round the Town, to stop up all the Avenues, and in the River placing Engins like Rams upon Stakes driven down into the bottom to hinder all passage of Vessels, and whatsoever might convey Relief to the besieged. The news of this Leaguer flew fast into *Spain*, where the *Saracens* were deeply concerned for their Friends and Relations in so great danger, and as much for the loss that was threatned of so considerable a Province. They bestir themselves and raise new Forces, which they commit to the Conduct of *Amonus* another Captain, who animated his men by words, presuming that the *Franks* were already tired out with the Siege, and would not abide the first Onset.

But are beaten.

137. But so far were the *Franks* from declining the Combat, and refusing to receive their first Onset, that they hasted to set on them, and were very greedy to give them Battel; For *Charles* hearing of their coming, thought it better to meet them, and by a sudden and unexpected Charge to try his Fortune, than suffer them to come up to the Leaguer, and while he strove to defend his Camp against them, to have the besieged issue out upon his back. The main thing was secrecy, that those within the Town should not know of his Departure, and he must leave a sufficient number still to make a shew of a Siege. In these points it seems he failed not, but imitating therein the glorious Adventure of the *Roman Nero*, (who besieging *Annibal*, went and defeated *Asdrubal* his Brother, and that with such privacy and expedition, that *Annibal* knew nothing of the Adventure, till he perceived the success by the Head of his slain Brother, cast over into his Trenches,) went as far as the River *Birsa*, and the Valley *Corbaria* to find them out. Here they joyned Battel, which was fought on both sides with Courage enough and Animosity, but *Charles* still in Fortune as well as Valour was Superiour and got the Day, the *Saracens* being utterly discouraged after the Death of *Amonus* their Captain. Many of them fell in the Fight, but many more in their Flight, for being to pass by Boat or swim over the River, they perished both ways, being swallowed up by the Waves, either through their unskilfulness, the violence of the Water, or the overcharging of the Vessels; the Enemy loosing no time all the while, but pressing still upon them, and

And in their own Countrey receive a great overthrow.

Sect. 3. and conspiring for their destruction with that watry Element. *Charles* with great booty, and a multitude of Prisoners, triumphantly returned to the Siege of *Narbon*, which revenging with all violence imaginable, after *Athinus* had, upon report of the defeat of the succours, fled away by Sea, be easily took it with other eminent Cities of those Parts, as *Nemausam*, *Biterræ* and *Agala*, as *Aimoinus* calls them, which, as infected with the venome of Mahometism, he burnt to ashes, and then returned with his victorious Army into *France*.

Sunt oppida Volcarum Arecomicorum. Nemausus hodie Nimes. Blitera & Blitere. Beziers ad Obrim fluvium & ad mare. Agathe Rhoe, hodie Age in ora & peninsula inter Araxarim & Ledum mare. Aimoinus, lib. 4. c. 57.

Another Invasion by the *Saracens*, but with loss.

138. It might have been imagined that this Nation of the *Saracens*, by so many Rebukes would have been deterred from any farther Attempts upon *France*, but having multitudes of People to spare, and allured by the Riches and pleasantness of the Countrey, they make another Inrode first into *Gallia Narbonensis*, their own late Possession, then take *Arles*, and in conjunction with *Mauricius*, the Count of *Marseilles*, invade *Provence*, and pierce as far as the River *Varus*. *Charles* finding himself perpetually intangled with this troublesome People, thought fit to call to his Assistence some foreign Prince, and having none at present more in his Eye than *Luitprand*, King of the *Lombards* in *Italy*, to him he sent an honourable Embassy with *Pipin* his Son, who was now grown up to years of Puberty, that according to the custome of Christians in those Ages, he might first cut his hair, and by such a Religious Ceremony, become his spiritual Father. *Luitprand* took this as a great honour, and sending the youth back with rich Presents, in return to the Embassy he undertook an Expedition into *Gall*. *Charles*, e'er his Arrival, had sent his Brother *Childebrand* before him to *Avinion*, and afterward in Conjunction with the *Lombards*, marched himself; but his Fame and Reputation got thither first, and alone effected what was the designment of so great preparations; For the *Saracens* hearing of his Approach forsook the Countrey and shifted away. *Mauricius* being left to himself, who, conscious of so great Treachery as he was guilty of, both toward the *Franks*, and the Christian Religion, quitted *Marseilles*, and hid himself in the rocky and mountainous places, near the Sea. *Charles*, with ease enough cleared all the Countrey and forced the *Saracens* once more to contain themselves within the *Pyrenæans*, which done, and all Christendom freed from the impending slavery, both temporal and spiritual, he once more returned home.

Ut more fidelium Christianorum, ejus capillum primus attonderet, ac pater illi spiritualis existeret. Aimoinus, lib. 4. cap. 57. Paulus Diaconus.

139. Shortly after this *Luitprand* being returned, took or found occasion to quarrel with *Gregory* the third, the *Roman* Bishop, for protecting *Trasmund*, the Duke of *Spoletum*, who being his Tributary, renounced his Obedience, and fled to *Rome* for succour. Betwixt the King and the Prelate ensued an heavy War, and *Gregory* was so much put to it, that he implored the assistence of *Charles*, and conjured him by all things sacred, not to hold dearer the Friendship of the *Lombard*, than the Good of the Church, but hasten with all speed to its Relief. But whether that *Charles* distinguished betwixt the Cause of the Church, and the Mistakes and Passions of *Gregory*, or was so unmoveable in point of Honour and Generosity, as to be deaf to all incitements against his Friend and Allie, who had so well deserved of him, he was not at all moved by *Gregory* his Arguments to set one foot towards *Italy*, whatever he might doe by his Pen and Ambassadours, to recover a good Understanding betwixt the Parties. But neither had he much time to doe any thing this way; for shortly after his return from the Expedition against the *Saracens*, he fell sick of a Fever, at a place called *Verberia*, situate upon the River *Isaca*, which cast him into a Consumption, whereof, after he had removed to *Carisiacum*, at length he died, on the twentieth of *October*, in the fifty fifth Year of his Age, and the twenty fifth of his Rule or Domination, for his Reign we must not call it, though in effect, it was really such, yet doth not onely *Aimoinus*, but our *Beda* also, give him the Title of *Rex*, or King, and in the Church of St. *Denis*, where he lies interred, his Tomb is to be seen thus inscribed, *Carolus Martellus Rex*, so that Pope *Gregory* may seem not to have been altogether well advised in his Letters of Address, whereby he desired assistence against the *Lombard*, to give him the diminutive Title, and pitifull Complement of *Subregulus*. But elsewhere the same *Gregory*, with *Paul* the Deacon, and the Continuatour of the History of *Gregory of Tours*, call him *Prince of the* Franks, as also doth *Ludovicus Pius*, the Emperour, his Great Grand-Son. Though his Title was but Prince, or *Major of*

Verberie sur la Riviere d'Oise, qui donne le nom à Pontoise.

Charles Martell dyes.

In Epitome.

Literis ad Hild. scriptis.

Sect. 3. the Palace, (which he himself seems to have used,) yet such was his Government, and so renowned his Actions, which concerned War, that Posterity gratefully looks upon him as worthy of any Appellation that words (which ought to express things as emphatically as may be) can confer upon him.

Diploma donationis facta a mona-sterio cuidam Trajectino prout recitatur ab Heda in Historia Episcoporum Ultrajectinorum habet has subscriptiones: Signum Illustris Viri Caroli Majoris Domus. S. Carlomanni filii ejus, &c.

140. He left several Children, both legitimate and illegitimate, behind him. By *Suanichilde*, the Niece (or Daughter) of *Odilo*, Duke of *Baioaria*, he had *Carloman*, *Pipin* and *Gripho*; by others, we know not whom, *Bernard*, St. *Remedius*, *Alii Ægidius* (Archbishop of *Roan*,) *Hierome*, *Hildrude*, (or *Altrude*,) the Wife of *Odilo*, Duke of *Baioaria*,) and *Landrada*, married to *Sigramnus*, or *Sigramnus*, a Potent Man in *Hasbania*. Before his death he disposed of the Dominions of the *Franks* (by consent of the Nobility) to some of them, in this manner. To *Carloman*, his Eldest Son, he assigned *Austrasia*, with *Thuringia*, or the Nations inhabiting beyond the *Rhine*, sturdy and active People to a stout and resolute Person; and to *Pipin* *Burgundy*, *Neustria*, *Provence*, or the other parts of *France*, Nations more soft and gentle to a suitable Nature. His other Sons he passed by, whether as spurious, or for other Reasons, we know not, but the indignity would not down with *Gripho*, whose Mother (*Sunahilde*, some say, the Mother onely of him and *Ægidius*,) was as impatient as himself, and seeing he was not admitted as a sharer, persuaded him to push for the whole Inheritance. They were both more forward than wise, and he so fool-hardy, as without any considerable preparations, to break out into Rebellion, and to seize on the City *Laudunum*, which he slightly fortified, as the shortness of the time and opportunity would permit him. For the two Brothers, upon notice given of his Revolt, speedily raised a considerable Army, wherewith they laid Siege to the Town, and within a while obliged him to surrender and yield himself to Mercy, without any terms or conditions whatsoever. This danger was thus happily over, but the Brothers had their handfulls elsewhere; for those People that, living upon the Borders, had by the victorious Arms of *Charles* been subdued, and forced to submit to the yoke, upon his death resolved to withdraw their Necks, and, as they judged, with security enough, concluding, that though he had left his Power and Dominion to his Children, yet scarcely his Fortune, at least, not his Courage and Dexterity in War.

Carloman Governour of *Austrasia*, &c.

Pipin in Burgundy and *Neustria*, &c.

Who subdue all their revolting Neighbours.

Alii Sunahilde.

Alii Ægidius & Remigius.

Laudunum (hodie Latin to Pardie) oppidum *Veromandorum.*

141. Amongst the rest *Hunoldus*, the Son of *Eudo*, bore himself very high, having, while *Charles* was yet living, began to practise a Revolt, and held *Lanfred*, the Abbat of St. *Germans*, who was sent to persuade him to desist, as an Enemy, and a Spie, many months in Prison. The Brothers resolved to reduce him betimes, e'er he rendred himself too considerable; and when they were ready to march, to prevent mischief in their absence, by advice of *Carloman*, they committed their Brother *Gripho* close Prisoner to a strong Castle, near the Forest *Arduenna*. They invade *Aquitain*, and having taken a certain Castle, called *Lucas*, presently obliged their Adversary to come in, and submit to Terms, which were, that with the Title of Duke he should hold *Aquitain* as a Tributary to the *Franks*. This danger being also over from without, to prevent all Jealousies and Misunderstandings betwixt themselves, e'er they quitted this Province, at a place called *Vetus Putavis* they parted the Territories of the *Franks*, according to the Prescript left them by their Father. Each then departing to his own Post, *Carloman* invaded the *Alemans*, who had lately revolted, and wasting their Countrey with Fire and Sword, reduced them to obedience, which done, they jointly set upon *Odilo*, the Duke of *Baioaria*, who renouncing obedience, had usurped the Title of King, and taken their Sister *Hiltrude* to Wife without their consent. They so managed the War, that they made him ask pardon and leave to retain his Wife with *Baioaria*, not as an absolute King, but as a Tributary Duke. This done, *Carloman* invaded the *Saxons*, who, upon his Father's Death, had also renounced obedience, and having taken the strong Castle, called *Hoscoburg*, forced *Theodorick*, their Captain, to crave Peace. This, upon reasonable terms, was granted; but no sooner was *Carloman* withdrawn, but he defied the *Franks* as formerly, which obliged the Brothers once more to unite their Forces, and jointly to set upon him, which they did to such purpose, that they speedily wrested from him another Recantation. Yet did he this second time obtain pardon, it being hard to say whether the Love and Union, or the mercifull Disposition of these two Brothers was most remarkable.

Lucas.

Leviel Poictiers.

142. Thus

142. Thus flourished these two Sons of *Martell*, as Successours to his Conduct and Fortune, as well as his Arms, when in the middle of their Glory a thing happened so strange, as struck the whole World with admiration. This was, that a Man, a young Man, in the flower of his Age, a *Major* of the Palace, or rather a Prince, a King, amongst his Pleasures, Conquests and Triumphs, when he had no reason to be melancholy, but to be contrarily affected with his Condition, that such an one should exchange his Robe of Estate for the Cowle of a Monk, and the Wealth and Glory of a Kingdom for the Poverty and contemptible Estate of a Religious Beggar. But so did *Carloman*, and having given up all into the hands of his Brother, no otherwise than as about to die, (as all doe to the World, that take upon them Religion, in which respect, before their entrance, they make their Testaments,) he went into *Italy*, and there took upon him the Monastical Habit, which, with extraordinary self denial and hardship, (though considered otherwise than as the Son of *Charles*,) he is said to have retained to his dying day. Such was the temper of *Carloman*, but *Gripho*, though his Brother, was nothing at all of his Opinion; for being by the favour of his Brothers set at liberty, and living in very good Equipage with *Pipin*, he could not therewith be satisfied, nothing on this side Sovereignty could content him. He made his escape, and went to the *Saxons*, whom he knew so inclinable to Troubles and Rebellion, that he could easily persuade them to make a War. And for a War they made preparation, putting an Army into his Hands, who incamped himself upon the River *Onacra*, expecting his Brother. *Pipin* did not much deceive his Expectations, but hastened with formidable Forces into *Saxony*, whither when come, he so wrought upon the affections of the young Man, as well as those that assisted him, that Pardon being granted for what was past, they laid down their Arms, and *Gripho* was as kindly received, and liberally entertained by his Brother as formerly. But here his Ambition could no more terminate it self than heretofore. *Odilo* his Brother-in-law was dead in *Baioaria*, having left a young Son, *Tassilo* by name, to the Tuition of his Wife *Hiltrude*. Thither he goes, and being by his Sister kindly received, in way of requital, turns her and her Son out of all, and usurps the Government. *Pipin* having notice hereof, was more enraged at this base Act, than at any thing formerly he had committed, and with a very great Army invades the Countrey, deposes *Gripho*, and returns the Government into the Hands of his Sister, for the benefit and behoof of her young Son the Duke; yet deals he no more severely with his unruly Brother than formerly, but coming back into *France*, strives to win him with kindness, making him a Duke, and according to the custome, giving him the Government of twelve Counties. But neither did this signifie any thing to him. He fled once more, and betook himself to *Wacfarius*, the Duke of *Aquitain*, whose beautifull Wife, when he tempted to lie with her, had the Modesty to refuse him, with the Discretion to acquaint her Husband, who yet had no patience to endure the affront, but took his Life for reparation, though some reported, that making a Journey into *Italy*, after he was banished *Acquitain*, to provoke the *Lombards* against *France*, he was killed, as he travelled over the *Alpes*, by some of his Brother's Followers.

Sect. 2.

Carloman turns Monk.

Pipin sole Governour.

Onacra vel Ovacra quidam eandem esse putant cum Neccaro fluvio.

Grifonem more Ducum duodecim Comitatibus donavit. Aimoinus, l. 4. c. 61.

Annal. Pith.

143. All this while here's such a noise of the Masters or Majors of the Palace, that scarcely is there any muttering of the poor Kings of *France*, for such there were who to this very time wore the Habit and bore the Title. *Theodoricus Cala* died before *Charles Martell*, though how long, amongst several Opinions, it's uncertain. Some say he died seven years before *Charles*, who governed till his death, without such an Image of Authority, so that for so long a time there was a ridiculous *Interregnum*. Then did the Sons of *Charles*, they not as yet daring to assume the Name, set up another Idol or representation of Royalty, one called *Childerick the Third*, whether the Son or Kinsman of the late *Theodorick* it's uncertain, nothing more being upon record concerning him, than that he was set up for a time, and then pulled down again, according to the Occasions and Interests of those that promoted him. Such was the condition and state of this Royalty, that no man of Parts or Spirit could possibly endure it. The Name of King, the long Hair, the Robe and Idleness were the things peculiar to it, onely once a year like a Pageant he must be drawn into the City, to be gazed on, in a princely Chariot, according to the custome of these times, and afterward returned to the Village or Farm from whence he came, there to be shut up from the Eyes of the People, and the Noise of all business, while the *Major* of the Palace carried it like a King indeed, disposing of all things concerning Peace and War, Life and Death, and all other Rights o

Childerick the third made King.

Majesty,f

Sect. 3. Majesty, as he himself pleased, without controll. The onely thing that prolonged the continuance of this Mock Royalty, was the wonderfull Zeal and Devotion the *Franks* had to the Name and Lineage of *Clodonæus*, accounting it the fouleſt Crime in Nature, to be guilty of the leaſt Act of Diſloyalty toward it. But the Name of *Clodonæus* now began to decay with time, and that of *Martell* was ſo freſh and flouriſhing, as had drawn all Mens Eyes and Expectations upon it. *Pipin* his Son had the whole Power in his Hands, was in the flower of his Age, was bleſſed with an hopefull Iſſue, and by his own Atchievements had got ſuch Reputation, as this, added to his Father's Name, ſeemed ſufficient to merit the Title of what in effect he was already poſſeſſed. Beſides the whole Nobility, both Churchmen and others, were, by reaſon of their Preferments, obnoxious to his Family.

144. Theſe Conſiderations joined with the Natural temper and Inclination of Mankind to Honours, put him upon the reſolution of aſſuming the Title, and diſpoſing ſome other way with him that at the preſent bore it, who, that he might be puniſhed, muſt needs beforehand be made guilty. He inveighs againſt his ſloth, and the meanneſs of his Capacity, inſiſts upon the grand diſproportion there was betwixt the great Name he bore, and the Abilities he had to diſcharge the Duty, and preſſes it as a thing which mightily reflected upon the Nation of the *Franks*, to be thought to have ſuch a Ruler as was not in any tolerable capacity to govern himſelf. The truth is, theſe Kings did not govern, neither poſſibly had abilities to doe it; but who was in the fault, whether themſelves, or their Grand Miniſters, the *Majors* of the Palace, (the Intereſt of whom it was to have them idle and enervated in their minds,) there needs not much ſcrutiny to determine. But it's eaſie to trample upon ſuch as are already down. *Pipin* inſinuates theſe things into thoſe Noblemen, of whom he could be moſt confident, and they into the People, and at length it is generally affirmed, that it is moſt convenient for the ſafety and grandeur of the Nation, that his ſhould be the Title to whom already belonged, by Cuſtome and Uſage, the whole Power and Juriſdiction. This ſomething ſatisfied their Conſciences, as to the Allegiance they ought to the Houſe of *Meroneus*, that little more damage could hereby accrue to *Childerick*, who would be deſpoiled of nothing but a vain and empty Title; and it was beaten into their Ears, that *Pipin* himſelf was deſcended of the ſame Houſe, by *Biltilde*, the Daughter of *Clotarius* the Great, married to a certain Duke, *Aribert*, or *Arbert*. But to gain complete ſatisfaction and countenance to the thing, Ambaſſadours are ſent to *Zachary* Biſhop of *Rome*, to lay open theſe matters before him. He, without hearing the other Party, adjudgeth *Pipin*'s pretenſions to be very good, and ſends order to *Boniface*, the Biſhop of *Mentz*, to anoint him King accordingly, which was done at *Soiſſons*, and he was carried out upon a ſhield, as the ancient cuſtome was, unto his Throne; *Childerick* being ſhaven, and thruſt into a Monaſtery. So here the Line of the *Meroningi*, or of thoſe that deſcended from *Meroneus*, receiveth its period, in the tenth Year of *Conſtantinus Copronymus*, and the tenth of *Zachary* the *Roman* Biſhop. *A. D.* 751.

But is ſoon after ſhaven by *Pipin*, *Major* of the Palace.

Fuit autem Childericus detruſus in Monaſterium Berlinenſe; ut in Fontanellenſi, Marchianenſi & Bertinenſi Chronicis legitur.

SECT.

SECT. IV.

From the Ruine of the Royal Family of the Meroningi, *and the Riſe of that of the* Carlovingi, *to the ſupreme Height of its Grandeur.*

From the Promotion of Pipin, *the Son of* Charles, *to the Title of King, to the Advancement of* Charles, *the Son of* Pipin, *to that of Emperour, by the ſame means.*

The ſpace of fifty Years.

Sect. 4.

Pipin King.

His Pedigree.

1. THis ſecond Family which from the famous Atchievements of *Charles Martell* is known by the addition of his Name, was yet joined, as we ſaid, in Affinity with that of *Meroneus*. For *Clotair* the Great, the Father of *Dagobert* the Firſt, married his Daughter *Biltilde*, or *Blitilde*, to Duke *Aribert*, to whom ſhe bore a Son called *Arnold*. This *Arnold* was Father to St. *Arnold*, or *Arnulf*, the Archbiſhop of *Metz*, who, before he entred into Orders, begat four Sons, *Fendulf*, or *Ferdulf*, *Anſigiſus*, or *Anchiſus*, *Arnolf*, or *Clodulf*, Biſhop of *Metz*, (who lies buried in *Lay*, a Village of *Lorrain*, but one mile diſtant from *Nancy*) and *Galiſius* (or *Galchito*, or *Walchito*, or *Wandregiſil*, or *Walgiſus*, for all theſe names we meet with) the Father of St. *Vandril* (ſome call him St. *Wandregiſil*) the Abbat. *Fendulf* begot *Martin* Duke of *Auſtria*, who was killed by *Ebroinus*, the *Major* of the Palace of *Neuſtria*, and *Pipin*, ſirnamed *Craſſus*, or *the Groſs*, who by *Joane* his Wife had St. *Gertrude*, the Abbeſs of *Nivel*, founded by her Mother, beſides ſeven Sons, and a Daughter, married to *Anſegiſus*, by ſome called *Beggua*, and by others *Begga*, with the addition of Saint, for this is ſhe that founded the Order of the *Beguinns*, or *Nuns*, not unknown to any that have viſited the *Spaniſh Netherlands*, and lies buried at *Audenna*, in the Countrey of *Namur*, in the Church of the Monaſtery which ſhe her ſelf had built. *Grimoaldus*, the Son of *Pipin the Groſs*, called alſo *Laudenſis*, being *Major* of the Palace of *Auſtria*, in the Reign of *Sigebert* the Second, endeavouring to diſpoſſeſs *Dagobert* his Son of his Inheritance, that he might prefer his own Son *Ildebert* to the Kingdom, was juſtly put to death, and *Ildebert* was ſlain in the Reign of *Ludovicus*, or *Clodonæus* the Firſt. Therefore did *Anſegiſus* ſucceed to *Pipin* his Father-in-law, after he was ſlain by *Godanus*, or his little Son, as they called him, to whom he was Godfather, and whom he had preferred to the greateſt Honours.

Vide Joan. Tilium in Comment. de Rebus Gallicis, lib. 1. De Rege Pipino & Maximo ejus filio. Vide etiam Henricum Pipini Regis apud Auberium Maſſinum in Chronic. Belg. qui illud hauſit ex Genealogia Regum ac Principum, Anno 1261 ſcripta, quam titulo Genealogiæ S. Arnulfi P. Pithœus primus edidit. Vide & Notitiam Eccleſ. Belg. c. 3. 20. & 26.

Quem Godanus ut vocant filiolus, hoc eſt ab ipſo oblatus ſacro baptiſmati, ſic Tillius.

Sed pro Godan certè legendum Godſon, ſive Godſon, ita enim appellatur Teutonibus quibuſdam ille qui oblatus eſt ſacro baptiſmati.

2. *Anſegiſus* on *Begga* begot *Pipin* the Second, (from the place of his Birth it's probable, *viz. Heriſtall*, or *Herſtall*, near *Leige*, where was a ſtately Palace in the time of *Charles* the Great,) ſirnamed *Heriſtallius*. This *Pipin*, by *Pleſtrude* had two Sons, *Drogo*, or *Druides*, who by *Auſonde*, the Daughter of *Warento*, the Preſect of the Palace of *Neuſtria*, had *Hugo*, who in his Father's Lifetime was *Major* of the Palace of *Neuſtria*, and died in the Mock Reign of *Childebert* the Third, through his Wife's jealouſie, and the careleſsneſs of *Tierdaldes* his Son, who ſucceeded his Grandfather *Pipin* in the Government, but was hindred by *Ermanfredus*. *Pipin*'s ſecond Son by *Pleſtrude* was *Grimoaldus*, and by *Alpais*, or *Elpida*, his Concubine, he had a Son called *Charles*, and ſirnamed *Martell*, beſides another named *Childebrand*, begotten, as *Tily* thinketh, of another Concubine, though *Aimoinus* calls him his *Germanus*, or *full Brother*. *Charles Martell* had four Sons and a Daughter by *Sigibert*, called *Lauladra*, and by *Aimoinus Hiltrude*, who being ſtoln

Sect. 4. ſtoln by *Odilo* or *Bacillo* bore him two Sons *Taſſilo*, who ſucceed him in the Title and Office of Duke, by the favour of his Uncle *Pipin*, and afterward ingratefully rebelled againſt him, and his Son *Charles* the Great, and *Grodogand* Biſhop of *Metz*, who founded the Abby of *Gorza* in *Loraine*. The four Sons of *Charles* were *Carloman*, *Pipin* the little, and by ſome Sirnamed *Pius*, *Ægidus* or *Remigius* the Arch-Biſhop of *Rouen*, and *Grypho* begot on his Concubine *Nachilde* the Niece of *Odilo* Duke of *Bavaria*. *Tilly* thinks it probable, that the Arch-Biſhop and *Grypho* were Baſtards, becauſe in the Partition of *France*, they were left out by their Father, ſo great incertainty is there both of Names and other Circumſtances in theſe Genealogies. To be ſure *Pipin* after the Receſs of *Carloman* became Maſter of the Kingdom of the *Franks*, and at length dared to take the Title as well as the thing, being thereto incouraged by his good Friend the Biſhop of *Rome*: And ſo much of the Pedegree of the Kings of that ſecond Line, from *John Tily*, which how far it agrees with the former Hiſtory the Reader is to conſider, though for the main he cannot but approve it.

3. *Pipin* having thus aſſumed the Title of King, and rejected that of *Major* of the Palace, after he had held it about ten Years from the Death of his Father, with a great Army invaded *Saxony*, either to take Mens minds and Tongues off from the late Revolution, or to let them ſee that he very well deſerved the Title; and the expedition ſucceeded according to his Wiſhes, the *Saxons* being beaten at the River *Veſera* notwithſtanding they made ſtout oppoſition. By the late Incouragement and Aſſiſtence which Pope *Zachary* had afforded him, in obtaining the Crown he had contracted ſuch a Debt to that See, as very difficultly could ever be diſcharged; for though *Zachary* died ſoon after, yet the Biſhop of *Rome* being alive again under the Name of *Stephen*, exacted it as his proper Creditour. It happened that a Quarrel aroſe, betwixt *Aiſtulphus* the *Lombard* and him (upon what account in the Hiſtory of that Kingdom, we ſhall more nearly enquire) which came to that height, that the King having taken *Ravenna*, and baniſhed the Exarch out of *Italy*, ſeized on *Narnia*, and brought his Army before *Rome* it ſelf. *Stephen* was at his Wits end, not knowing what Courſe to take, but remembring how his Predeceſſour had obliged *Pipin*, he ſends to him, deſiring he would, as the phraſe was, *Undertake the Protection of the Prince of the Apoſtles*, and by ſome means or other make way for his ſpeedy coming to his Preſence. *Pipin* ſends his Ambaſſadours and gets the Biſhop out of *Rome*, *Aiſtulph* being perſuaded for the preſent to forbear Hoſtility, and to *Pipin* he comes, who as he was obliged receives him with very great Reverence, intending to make farther uſe of him, for ſtrengthening that lately received Title, which by the means of *Zachary* he had firſt procured.

He invades *Saxony*.

4. That the matter might proceed with the greater Shew of Religion, he is lodged in the Monaſtery of St. *Denis* near to *Paris*, where he falls dangerouſly ſick; but by the Procurement of St. *Peter*, St. *Paul*, and that Saint is reſtored again to Health, for ſome notable end, ſome great Work doubtleſs to be performed. He was ſo much in the favour of thoſe Saints as to obtain his Life and Health, and in ſo much eſteem farther with them, as by Revelation to underſtand that it was by their means, and ſpecial Procurement; what Credit therefore ought not to be given to ſuch a Perſon, who in any thing of the greateſt Conſequence could not be ſuppoſed, but to be indued with an infallible Spirit. After his recovery, he ſends for *Pipin*, his Wife, and two Sons, *Carloman* and *Charles* to be preſent at the Conſecration of a new Altar, which he had erected as a Monument of his Gratitude to theſe Saints, and this muſt not be in private, but a great Concourſe of People muſt be admitted. There, and then takes he occaſion ſolemnly to anoint and inaugurate afreſh *Pipin* for King, together with his two Sons, and *Bertrude* his Wife for Queen; openly pronouncing him a true and Legitimate King, his Sons Heirs of his Kingdom, and that it was utterly unlawfull for the time to come for the *Franks* to chuſe any but of his Lineage. *Pipin* we are told endured this, good Man, with Patience, having been formerly anointed by *Boniface*, and ſubmitted to it out of Prudence, knowing that the Opinion of the great Sanctity of the Man, and the mighty Reverence that was born to his high place and Dignity, would be as a Religious Curb upon the People to reſtrain them from any Attempt, which might be Inconſiſtent with his Royal Intereſt.

Is anointed King by Pope *Stephen*.

5. But being paid his Wages before-hand, he could not be ſo unjuſt as not to doe his Work, and therefore an Aſſembly of the *Franks* is held, to deliberate upon the War to be made againſt the *Lombards*. Here the matter found great oppoſition; for

A Conſultation about the War with the *Lombards*.

for many of the Nobility conſidering what danger might ariſe from ſuch a Quarrel, declared that *Charles Martell* his Father out of his great Wiſedom, and forecaſt had refuſed to undertake the Expedition againſt *Luitprand*, and they plainly declared, that in Caſe he was reſolved to make a War he ſhould go alone for them, for they would inſtantly depart to their Houſes. But there was a greater rub than this in the way, which had not been thought of, and with much greater difficulty could be removed. *Carloman* the Monk, and Brother of *Pipin* lived at this time in the Monaſtery of *Caſinum* within the Dominions of *Aiſtulph* the *Lombard* King, who bethinking himſelf what Service he might doe him in this Caſe, ſent to the Abbat and Commanded him to ſend his Monk into *France* to his Brother, to diſſwade him from aſſiſting *Stephen*, vowing elſe to fire the Monaſtery over his Head, and utterly to deſtroy the Neſt and Harbour of ſo many Traitours. *Carloman* by Virtue of his Holy obedience is bound to comply with the Abbat, and into *France* he comes, where he is no doubt lovingly received by his Brother. He lays the Law ſorely to him, and both to him and the Aſſembly affirms it, to be a point of the greateſt Wickedneſs for the ſake of *Stephen* to have War made upon ſo famous a Seminary, and that brought to Deſtruction, which had been the Nurſery of ſo many Saints. And *Stephen* himſelf ſeemed to be wonderfully afflicted with the thought of War, like a pious Biſhop, conſidering that he was the Father of all, as well the Prodigal as the obedient Children, and therefore with the greateſt Reſentment imaginable, the good Man abhorred the Effuſion of Chriſtian Bloud. Sect. 4. *Eginhartus*. *Chronicon Caſinenſe, lib. 1. c. 7.*

6. But *Pipin* having already taſted of Royalty, his Appetite was thereby inflamed with a greater deſire of Honour and Dominion, and having had hitherto very good Succeſs in *France*, by dealing with the Biſhop of *Rome*, ſhould his Arms prove Succeſsfull againſt the *Lombards*, he knew not what great uſe he might make of his Friendſhip in *Italy*, for laying the Foundations at leaſt of more Empire and Glory, to his Poſterity in the time to come. He reſolves to undertake the War at any Rate: The good old Man he perſuades at length to admit of Conſolation, ſeeing this Expedition would tend to the Eſtabliſhment of the Right of the *Prince of the Apoſtles*, and the Advancement of the Church. His Brother *Carloman* he permits not to return into *Italy*, but when he would needs retire from Court, perſuades him to live in the Monaſtery at *Vienne*, where the Religious Prince died not long after, and ſo put an end to all difficulties, which had ariſen on his part. There wanted nothing now, but to make the Nobility ſwallow the Pill, which at length was effected by the guild of Religion, an Holy and meritorious War, being of ſo great moment with the King, that he vows he will go in Perſon, though it were with no more than one or two Attendants. He affirms, he was not biaſſed by private Reſpects, but was ingaged for the good of the Church, to which he promiſed to deliver the Exarchate and *Pentapolis*, as ſoon as he had recovered them by Arms, which he confirmed by a publick Inſtrument, Signed and Sealed by him and his Sons, and ſolemnly ſworn to. And to give clear and full Satisfaction, as well to the Biſhop as others, he ſent once or twice to *Aiſtulph*, offering him Peace upon ſuch Terms as he might well aſſure himſelf he would not accept.

Pipin reſolves upon it.

7. Now nothing but the ſound of Trumpets, and the Neighing of Horſes, and the ratling of Armour is to be heard: The Nobility are aſhamed to deſert ſo meritorious a Cauſe, and the Biſhop is at laſt perſuaded to accept of St. *Peter's Patrimony*, though redeemed by the price of Chriſtian Bloud. *Pipin* marches toward the *Alpes*, and *Aiſtulph* being deaf to ſuch Propoſitions as come out of *France*, prepares as effectually as he can for Reſiſtence. But *Anaſtaſius* the Popes Library Keeper, here makes him a Fool as well as a Knave; to be guilty of ſo great an Overſight, as to leave open the paſſages of theſe Mountains, which he might eaſily have ſeized, and ſo barred to the *Franks* all Acceſs into the Countrey. He adds that perceiving too late his Errour, he ſent multitudes of armed Men againſt them, but they eaſily maſtered them, and broke into *Italy* with that violence, that *Aiſtulphus* himſelf who beheld the fight, concluded they were not to be reſiſted, and putting Spurs to his Horſe, never ſtopt till he came to *Pavia* the *Metropolis* of his Kingdom. But *Aimoinus* writes, that the Straits of the *Alpes* were before-hand ſeized, and guarded by the *Lombards*, and he (or ſome other, for it's evident, that the Book that goes under his Name, was compoſed by ſeveral Authours) is ſo faithfull to his Countreymen, as to give them the full Honour of the Enterprize, which the more difficult it was the greater muſt needs be the Conduct of the General, and the Courage of his Souldiers. He tells us, they were conſtrained to fight in a place moſt difficult of Acceſs to them, and moſt advantageous for

And forces the *Lombards* to agree to his Terms.

Sect. 4. their Enemies, whom yet they beat off from their Posts, made them run away, and with great Glory, and some prey became Masters of their Camp. This Victory thus obtained, *Pipin* resolved to follow it on, and marching to *Pavia* there besieged *Aistulphus*, who bethinking himself what advantage the *Franks* had against him, the *Alpes* now lying open to all the Inrodes they would please to make, resolved to grant such terms as they should be obliged to accept, and cut off all their Pretences. These were to doe Justice to the See of *Rome*, in order to which he swore to give up the Exarchate and *Pentapolis* to *Stephen*, and in Confirmation of the Agreement, delivered up into the hands of *Pipin*, forty Hostages.

Which being not performed,

8. *Pipin* hereupon returned home, after whose departure the Quarrel betwixt the King and the Bishop revived, and returned to that height, that *Aistulph* refused to give up the places formerly mentioned, and in Conclusion went and laid Siege to *Rome* it self, as unjustly also detained from him. *Stephen* closely besieged, and not knowing of any help nearer at hand, writes and sends once more into *France*, giving to the King thereof, his Sons and Nobility mighty good Words, and personating St. *Peter* and the Blessed Virgin with melting Arguments inviting them, to take upon them the defence of the Church, promising them in recompence not onely Happiness here, but also in that World which is to come. *Pipin* was not deaf to this Charmer, but raising an Army with speed, returned into *Italy*, but in his way was encountred by an Ambassadour sent from *Constantinus Copronymus* the Emperour, who expostulated with him for endeavouring to deliver the Exarchate, and *Pentapolis* into the hands of the *Roman* Bishop, to whom they did not at all belong, but were the Inheritances of the Empire, and had been Governed by Deputies or Exarchs, for the space of no less than two hundred Years. He put off the Ambassadour with Words, professing a deep Sense of Religion, and a Zeal for the Church, and he followed on his Journey; which understood by *Aistulph* he broke up his Siege, and got him again to *Pavia*, where being besieged as formerly, he perceived there was no way to cut off the Pretence of the Invasion of *Italy*, and the Ruine of his Kingdom from the *Franks*, but by delivering up the places in Contention; which he really did, and so sufficient Order being taken therein, and *Pipin*'s work being done at present nothing farther remained, but to return home.

He makes another Journey with his Army, and sees it done.

9. After his return, he held an Assembly of the Estates at *Compendium*, from which some idlely Divine the Original of the *French* Parliaments. Thither came *Tassilo* his Nephew the Duke of *Bavaria*, with the chief of his Nobility, and did Homage to the King according to the *French* Custome, as *Aimoinus* Words it which what it was, we shall Discourse in another place more proper to a Disquisition about the Nature of *Feodataries* and *Vassals*. *Pipin* much satisfied with this Honour done him by his Nephew, marched against the *Saxons*, who being Idolaters, and bearing minds truely *German*, or impatient of the Yoke, continually rebelled. He pierced far into their Countrey, and though they opposed him to the utmost, constrained them once more to beg Peace, which they were to purchase by a yearly Tribute of three hundred Horses to be sent to the Annual Assembly of the Estates, a means both to furnish the *Franks* with War, and to weaken them by a constant Diminution of the numbers of so fit a Creature for that Service. Thus succeeded his Projects which way soever he turned him, when new Work was made for him in *Aquitain* through the differences that were risen betwixt *Gaiffar* his Vassal the Duke of that Countrey, and the Church-men, who complained that he dealt violently and injuriously with them, not suffering them to enjoy those Possessions, which the Bounty and Piety of good Christians had conferred on their Predecessours. He answered to these Criminations, that *Aquitain* having been lately held by the *Saracens*, and before that by the *Visigothes*, that were *Arians*, the bounds of the Inheritances and Possessions, as well of the Ecclesiasticks as private Persons, were confused and uncertain, that it was a difficult matter to dispossess those who had long been seized of Contentious Titles, which they affirmed to be very good, and that it was better to let things rest as they were, than out of Countenance to some extreme Pretensions to imbroil the State with such a multitude of Suits as must needs follow, if a Door should ever be opened to this violent and conceited sort of People.

He gives another defeat to the *Saxons*.

Stirs in *Aquitain*.

*More Francico in manus Regis Vassalicum majestatis suæ summissum commendavit: fidelitemque tam ipsi Regi Pipino quam filiis ejus Carolo & Carlmanno jurejurando firmavit. Chron. Moissiac. Annal. Fuldenses. Dionysii Petavii. Annal. Francor. Metens. Annal. Lambecii. Theophanes. Zonaras. Nicephorus. Cedrenus. Paulus Diaconus. Sigebertus. Aimoinus. Ado. Vienn. Regino. Aventinus. Sabellicus. Platina. Blondus. Volaterranus. Antonius. Sigonius. Genebrardus. Pontacus. Serarius. Pagius. Tillemontius. Launoius. Natalis Comes. Pomponius Lætus. Onuphrius. Panvinius. Spondanus. Bucelinus. Bollandus. Mabillonius. Cointius. Fleurius. Du Chesne. Du Boulay. Du Pleix. Mezeray. Le Cabaret. Le Gendre. Le Quien. Le Beau. Le Ragois. Le Mire. Le Long. Le Fevre. Le Moine. Le Maire. Le Blanc. Le Clerc. Le Roy. Le Vasseur. Le Vayer. Le Prestre. Le Petit. Le Sueur. Le Tellier. Le Comte. Le Febure. Le Feron. Le Feure. Le Mercier. Le Normand. Le Normant. Le Boulanger. Le Boucher. Le Charron. Le Tonnelier. Le Pelletier. Le Cordier. Le Fevre. Le Fevre. Le Fevre

Sect. 4. Gibbet. Now also the report of his Success was so strong amongst the *Saracens*, that *Amyrmonon* their King in *Spain* sent an Honourable Embassy with great Presents, desiring a Peace and Alliance with him. Winter being over, he once again renewed the War, and resolved to make one Expedition more into *Aquitain* by the way of *Narbon*, which he took with *Tolouse* and *Arles* and many other places, and then returned to *Vienne* to refresh his Army; which having done for sometime, not willing to loose the latter end of the Summer, he again marched to *Bourges*, and there held an Assembly of the Estates, as some Authours say, in the Field according to the ancient Custome of the *Franks*. Thence marched he as far as the River *Garonne*, and having taken many Forts and Retirements, where the Enemy had fortified himself, he returned back to *Bourges* and there wintred. Assoon as the Season of the Year would permit, he hasted to perfect his Conquest and came to the City * *Sanctonica*, where the Mother and Sister with a Niece of *Gaiffar* were presented to him, whom Commanding to be Civilly treated, he returned to the *Garonne*, and coming to a place called *Montes*, there *Eromnicus* came in to him with another Sister of *Gaiffar* supposed to be his Wife. Having done some few more Exploits he returned, and in a place called *Fels* kept his *Easter*, which Festival being finished he marched back to *Sanctonica*, and there leaving his Wife and Family; resolved before his return to find out *Gaiffar*, who had put him to so much trouble which he did in the Territories of *Petragoricum*, and having slain him in Battel, or otherwise it's not very certain how, his Work being done, he returned thither from whence he had set forth.

Nos Ancien, dit Fauchet, appellent ce Seigneur, Miramolin, jaquit qu'ille faille dire Emir Momin, C'est a dire Empereur en langue Arabesque.

Et prist de force Arles que je presume estre la ville de Provence: car je ne Scay quelle raison appelle le blanc par tout nos anciens Francois.

* *Xaintes.*

Having slain *Gaiffar* Duke of *Aquitain* he finishes the War.

14. Such is the general Account of this War, which is given us by very good Historians. But as to the particular Nations or People, that were ingaged, *Fredegarius* by Name mentions the *Vascons or Wascons, who, when Pipin marcht the last* time to the *Garonne, inhabiting beyond this River came to his Presence, and gave both their Oaths and Hostages, that for the time to come, they would ever be Subject and Obe-*

The *Vascons* submit to him.

dient to him, his two Sons Charles *and* Carloman, *and their Posterity. He adds, that several others who had followed* Waifar *or* Gaiffar *did the like, and that King* Pipin *kindly accepted of them.* Now by these Words, *Vascones qui ultra Garonnam Commorantur, The* Vascons *who dwell beyond the* Garonne, is hinted, that this sort of People had at this time Conquered and seized on that part of *Aquitain* called *Novempopulania*, which is bounded by the River of *Garonne*. This is confirmed by Testimony of an ancient Authour, of the Life of *Ludovicus Pius*, who reckoning up the memorable things performed by *Charles* the Great; and making mention occasionally of the *Garonne* lets fall this Expression, that, *It bounded those of* Aquitain *and the* Vascons. That they now inhabited that Countrey, we do little doubt, but at what time they should make this Invasion and Conquest is the great Question. An ancient Parchment of the great Church of *Auses*, written by a Priest thereof, near six hundred Years since, relates that the *Vascons* in the days of *Clodomæus* the First, left the Mountains, and invading *Aquitain*, having slain those Counts and Viscounts which that King there had placed, put others in their Room. *Elias Vinetus* would have this to have happened about the Year 590; but his, and the Conjecture of the Priest are both built upon weak Foundations, for in the Reign of *Dagobert* that they inhabited yet about the *Pyrenæans*, and were not descended into the Plain, is evident from several ancient Authours, particularly from the *Chronicon* of *Fredegarius*, the Life of St. *Amaidus* written about the same time, and *Isidorus Hispalensis* who lived in the days of that said King. Some there are who Fansie that they were invited by *Eudo* the Duke of *Aquitain*, and placed by him in that Region now called *Gascoigne*, but without any Ground at all, upon frivolous Suggestions. The Authour of the Life of St. *Julian* the Bishop of *Bearne*, refers this bold Attempt of the *Vascons* to the time of *Ebroinus* the *Major* of the Palace, when, as he saith, they and other Neighbouring Nations made choice of one *Lupus* for their Prince, who did much mischief to the Kingdom of the *Franks*. This probably is that *Lupus* who about the Year 670, assisted *Paul* against *Wamba* the King of the *Goths*, as St. *Julian* the Archbishop of *Tolouse*, hath left recorded in the History which he writ concerning the said *Wamba*.

Ad Ann. 765. Pradictus vero Pipinus usque ad Garonnam accessit, ibi Wascones, qui ultra Garonnam commanent, ad ejus præsentiam venerunt, &c.

Garumna nobilis Aquitaniæ finibus ex Pyrenæo oritur, scil. Aquitania: Tolosam primum alluit. Inde Agennum & Burdigalam nobilissimas Aquitaniæ urbes perlabitur, unde effluvius & majorum navium patiens in Aquitanicum sinum fertur.

Hi (Vasteï quos cum Vasconibus confundit) Pyrenæis jugis peram plam montis habitant solitudinem, eidem & Vascones quasi Vaccones C. in S. literam demutata.

Vide Notitiam Vasconiæ, p. 393.

15. Some there are, who will have this *Lupus* Father to *Eudo* the Duke: Others will have him not the Son of this, or any other *Lupus*, but of *Bertrand* the Duke of *Aquitain*. All these are mere Conjectures founded upon no material Arguments, and therefore no otherwise than as such are to be regarded. We may conclude safely yet, that in the latter time of the first Race of the Kings, when the Valour

The time of their coming thither.

Valour of *Clodomæus* his Posterity was degenerated, when the Majors of the Palaces contended amongst themselves, and seeking to establish their Power at home, little regarded what was done upon the Borders, that then the numerous and Courageous *Vascons* took the Advantage, and pouring in themselves into *Novempopulania*, there fixed; the Officers of these parts being not able to resist them, or content to let them alone, on Condition, that in these Turbulent times they might have their Governments secured to them. This we are apt to believe from the Case of *Eudo* and his Successours, *Hunald*, and *Waifar* or *Gaiffar*, who itt these great Wars they managed against *Charles Martell*, *Pipin*, and *Charles* the Great, seldom made use of any other Souldiers than the *Vascons*, to the chief of which Nation they committed their principal Towns and Castles, as appears sufficiently from the Appendix of *Fredegarius*, the ancient Annals published by *Pithœus*, *Marquardus*, *Frebe-rus*, *Andrew du Chesne*, and others. Now that from these *Vascons* the Countrey was called * *Gascoigne* or *Gascony*, *V* being changed into *G* (as is ordinary in other Words) is confessed by † *Elias Vinetus Santto* lately mentioned, as also by the Natives of that Countrey, as || *Belleforest*, * *Scipio*, *Dupleix*, and † *Joseph Scaliger* himself, although he seems to have erred in this point, that he thought them placed in this Countrey partly by *Pipin* after his Conquest of them, and afterward by *Ludovicus Pius*.

Sect. 4.

* *Petrus Chiniacensis in Provincia Novempopulana, quæ vulgo Guascoinia vocatur.*

† *In Ausin. ep. 25. num. 493.*

|| *Lib. 3. c. 42. descript. 4. orbis partium.*

* *Comment. Rerum Gallic. l. 4. c. 16. & in Annal. in vita Clotarii. 4.*

† *In Notitia Galliæ.*

16. But these People seated themselves in *Novempopulania*, a part of *Aquitain*; we are therefore obliged to tell the Reader first, what is meant by *Aquitain*, and then by *Novempopulania*. The Name of *Aquitain* Originally, and properly was given to that Tract of Ground lying about that City, which the *French* at this day call *Acs*, the *Gascons Dacs*, by *Ptolemy* named *Aquæ Augustæ*, by *Vibius Sequester Tarbella*, in *Bentingers Itinerary Table*, *Aquis*, and *Aquise* in the *Basque* Language. It took this Name from the hot Waters issuing out of the Earth, which were famous in the times of the *Romans*, as appears from those stately Marble Seats, yet to be seen on the Brink of the Fountain, as *Vinetus* relateth. The frequent Concourse out of *Italy* to these Waters, after the *Romans* had subdued the Countrey, in probability gave occasion to the building of it, for that it was the Work of the *Romans*, we are persuaded not onely from the Latine Name, but the Aqueduct and several others of such like Monuments yet remaining. That this Countrey was in the Possession, and Power of that People long before the coming of *Cæsar* into *Gall*, is both evident from * himself, and from another † Testimony; I mean that which is terminated by the River *Garonne*, the Ocean and the *Pyrenæan* Mountains, that part especially lying upon the Sea and the Hills, and probable it is, that then this received the Name of *Aquitain*, which by degrees was Communicated to all those Parts that lye beyond the *Garonne*, as appears from || *Pliny*; who farther informs us, that before this Region had this Name of *Aquitain*, it was called *Arecomica*, or *Aremorica* rather, as others reade it with better Reason, because from * *Cæsar* it appears, that all the Cities of *Gall* which lay upon the Sea, were of Custome, called *Armoricæ* the Word it self † expressing their situation.

Aquitain what, and how so called.

Ubi hodie est Præfectura Aquensis Senescall. Landarum dicta.

* *De bello Gall. l. 3. c. 20.*

† *Livii epitom. l. 103.*

|| *Vide Plin. l. 4. c. 17. & 19.*

* *Lib. 7. de bello Gallico. c. 14. & l. 8. c. 5.*

† *Armor enim ad mare vel supra mare situm significat ex eo forte situm dixere. Ut bene innuit Alteserra Rer. Aquitanic. lib. 1. c. 1.*

Posteriores aviti Idiomatis memores Lemonicum quod est Aquitaniæ prima oppidum, etsi in interiori ejus parte, in Armoricana Regione situm dixere. Ut bene innuit Alteserra Rer. Aquitanic. lib. 1. c. 1.

17. To Water therefore it hath been still beholding for its Name. As from the Sea it was first in the *Gallick* Language called *Armor* or *Armorica*, so afterwards *Aquitania* from the Medicinal Waters found therein, which flowed out of the Earth in several other places besides *Acs*, for we reade of *Aquæ Bigertonum*, *Thermæ Onesiæ*, *Aquæ Convenarum*, *Aquæ Calidæ in Armoricorum finibus*, besides others of which it is not here proper for us to insist. And if the Conjectures of some be true, the last name of *Guienne* given to that part of it which remains in the jurisdiction of the Senate of *Bourdeaux*, at such time as a Contest arose about the Countrey, betwixt the *English* and the *French* Nations, owneth no other Original; some affirming it corrupted from the word *Aquitain*, and others deriving it from *Aigue*, which in the Language of the very place signifieth Water. They tell you the first syllable is cut off according to the Custome of the *French* with Vowels when they are to meet with *Le* and *La*. To be sure others more improbably derive it from the *Guilielmi* or *Williams*, the Dukes thereof, as if it were *Guielmia*, (this being the ordinary Name of those Princes, as those of *Pharaoh* and *Ptolemy* for the Kings of *Ægypt*.) For in their days there was no such Name as *Guienne*, nor to be sure till that of the *Williams* was quite forgotten. We shall dismiss *Aquitain* with this farther hint

Sect. 4. hint to the Reader, that till *Augustus* his time, it was terminated with the *Garonne* and the *Pyrenæans*; But he inlarged it as far as the *Loire*, and then was it divided, and afterwards otherwise altered, that which retains the Name at this day, containing not above a third part of what was so called by the Emperour.

Garumna Cæsari Veteris Aquitaniæ terminus, sed ex quo auctior fatta usque ad Ligerim, & divisa in primam, secundam & tertiam quæ Novempopulania dicta est, tandémque Vasconia, tertia Aquitania seu Vasconiæ terminus fuit Garumna: unde in vita Ludovici Pii, Garumna fluvius Vasconum & Aquitanorum conterminus dicitur. A Garumna fluvio Cæsari Garumni dicti populi hujusce fluminis Accolæ, vulgo le pays de Riviere. Alteserra Rerum Aquitan. lib. 1. c. 21.

18. But that part of *Aquitain* (or *Aputain* more properly so called) lying betwixt the *Garonne*, the *Pyrenæans* and the Ocean, which our *Vascons* seized, was also called *Novempopulania*, sometimes reckoned a Province of it self, and *Aquitain* taken as contradistinct to it, being divided onely into two, the first and second, and otherwhile called *Aquitania Tertia*, or reckoned as the third part of this Division. Whence it should be called *Novempopulania*, from what Nine several People is not agreed; for in the Notice of the Provinces, twelve several People are attributed to it; some therefore think the true Name of the Province to be *Duodecimpopulania*. Others would have it's name *Undecimpopulania*, from the eleven Dioceses of *Auscs* the Seat of the Metropolitan, as if the Limits of Provinces and Nations which were set long before there were any such things as Dioceses should be regulated and bounded by them, than the Rules and bounds of which nothing can be more uncertain. For Dioceses by no certain Law are measured, but sometimes like Wedges, otherwhiles obliquely are inserted into Neighbouring Provinces, nay sometimes run far into foreign Nations, as it's certain some *Gallick* Dioceses bordering upon *Spain*, *Italy* and *Germany*, penetrate into those very Countries, as theirs again do into *Gall* it self. Now it would be excellent Logick, thence to infer that *France* is in *Germany*, *Spain* or *Italy*, or part of them are in *France*, so silly is the course of determining of Provinces and People by the limits of Dioceses, which yet is practised by most of the *French* Writers. The way to assign the Names of People is not to express the several Towns of the Dioceses, as the Authour of the Book of the *Roman* Provinces practised, but the Names of the Nations themselves which in *Novempopulania* (so called after that *Adrian* the Emperour had reduced them into the form of a Province) were these: the *Meduli*, the *Vibisci*, *Boii*, *Tarbelli*, *Vasalii*, *Bigerri*, *Tabali*, *Ausci*, *Convenæ*, and *Datii*.

Novempopulania what.

Quam rem etiam Cæsar erravit Belli Gallici libro tertio, ibi enim gentes tres dumtaxat Aquitanicas recenset, pro gentibus autem oppidanos & paganos novem hoc probat Munetus Jesuita in Geographia Aquitanica, p. 102.

19. Since we have brought the *Vascons* into *Novempopulania*, and have discovered the Names, Situation, and nature of this their new Seat; we must not be forgetfull of those they left behind them, for that the Elder sort of People staid behind, and that those are their Posterity which still live about the *Pyrenæan* Mountains, and are called *Vasci* or *Basques*, cannot be doubted by any that have been the least conversant amongst ancient Historians. Betwixt the Names of *Vascones* and *Vasci* there is no difference, but that of Declension, as might be made evident by several particulars, but this may suffice, that those People that live at the bottom of the *Pyrenæans*, and at this day are both by *French* and *Spaniards* called *Vasci*, were known in old time by that of *Vascones*. Both the *Gascons* and *Basques* or *Biscainers* also in some Authours pass under the Name of *Vaccei*, corruptly framed from *Vasci* or *Vasci*, although in later times it be appropriated unto the *Vasci*, who are also diminuitively called *Vasculi*, and by way of Contraction *Vascli* and *Bascli*. Their Country by some called *Vascitania*, although lately annexed to *Gascoigne*, and reckoned to be in *Aquitain*, yet anciently was a Territory distinct, and now the Inhabitants differ both in manners, Customes and Language from the *Gascoigns* and their Neighbours. It's Situate in the utmost part, and as it were an Angle or Corner of *Gall*, there where it borders upon *Spain* to the North-west; On the West it is bounded by the Ocean, on the South by the River *Bidassus*, and the *Pyrenæan* Hills, on the East by the Principality of *Beame*, and on the North partly by the said Principality the River *Aturris* and otherwise. In length it contains about fifty Miles, in breadth four and twenty. It's divided into three parts, whereof the first is that of *Lapurdus* or *Baion*, the other that of the lower *Navarre*, and the third that of *Sola*. *Baion* and *Sola* are governed by the King's Governour of all *Aquitain*, and the lower *Navarre* by his Lieutenant of *Beame*. *Baion* and *Navarre*, for Justice have recourse to the Parliament of *Bourdeaux*, and *Sola* to the Parliament of *Pale*.

Vetus Auctor vitæ Ludovici Pii ad Ann. 809 & 816. Confer Isidorum Hispalens. Auctorem vitæ Sancti Amandi atque Isidrum Patensem cum Aspendice Fredegarii, ad Ann. 766.

20. The

Sect. 4.

The Language of the *Vascons*.

20. The Language of these People by the *French* called *Basque* and *Biscaine*, and by the *Spaniards Vasquenze*, *Joseph Scaliger* in Latine calls *Cantabrismus*, and reckons it among the Mother Tongues of the *Europeans*. He adds that the speech of it begins not far from *Baion*, and reaches six or seven days Journey within the Mountainous parts of *Spain*, that the *French* call those that use it *Basci* and *Basculi*, and the *Spaniards* the Countrey wherein it is spoken by the General Name of *Bascuença*, that it hath nothing of Barbarism wharling or puffing in it, but is most mild and sweet, and without doubt the most ancient, and in those parts in use before the times of the *Romans*. In short, those that speak it are, on the *Spanish* side of the *Pyrenæan* Hills, the Inhabitants of the greatest part of *Navarre*, all *Ipusena*, *Alava* and *Biscay*, and on the *French* side those three Divisions of *Baion*, the lower *Navarre* and *Sola* lately mentioned. Some give this General account of it, that most of its words in the singular Number end in *A*, and in the Plural in *Ac*, but others tell them they are mistaken, for when they so end, *A.* and *Ac.* added to them, supply the places of syllables onely, as in the word *Guiçon a Man*, *Guiçona* signifieth *the Man*, and *Guiçonac the Men*. Their Posterity that seated themselves in *Novempopulania*, or *Gascoigne* by degrees forgat this Language, and learnt the Romance or corrupt Latine, though much differing now from that of the *French*. But enough of the *Vascons*, the Motions and Conquests of whom we could not omit, without a great gap and oversight committed in History.

In tractatu de Europæorum linguis & diuersitate de lodiernis Francorum linguis.

Marin. Sicul lib. 4. c. ult. Rerum Hispanic. ex eo alli. Arnaldus Othenartus in Notitia utriusque Vasconiæ.

21. To our business. *Pipin* having subdued the *Vascons*, with the other People adjoyning to the *Garonne*, and killed *Gaiffar* his Enemy, returned home; From *Sanctonæ* he came sick to *Tours*, where having done his Devotions he removed to *Paris*, and having in the Church of St. *Denis* fitted himself for another World, on the twenty fourth of *September* he died of a Dropsie, in the fifty fourth year of his Age, and in the eighteenth of his Reign. A great Man, though but four Foot and an half in length; for he laid the Foundations of great Power and Sovereignty, and like another *Philip*, made way and gathered materials for that Grandeur, at which his Son afterwards arrived. He was Buried in the Church of St. *Denis*, and had this Inscription made upon his Tomb, *Pipinus Rex Pater Caroli Magni*, but this was sometime after, for that his Son had the Sirname of the *Great*, presently after his Death cannot be imagined. By *Birtha* his Wife, (called *Birtha with the great Foot*, because one of her Feet was bigger than the other;) he had three Sons, *Charles*, *Carloman* and *Pipin*, who died before his Father, being scarcely three years old, besides *Ægidia* a Nun, to which some add *Rotende* and *Altende*, Buried in the Church of St. *Arnald* at *Metz*; as for the second Wife which *Lazius* mentions, and the several Children he had by her, we think them not of that Credit as to relate their Names. Of his two Sons, *Carloman* had those Provinces which had formerly belonged to *Carloman* his Uncle, and *Charles* succeeded to the remainder of the Dominions of the *Franks*.

King *Pipin* dies.

Obiit Ann. 783 juxta Mr. Chronicon Ultrajectii. num.

Alii dicunt filium Pipino fuisse Ægidium Monachum in monte Sacrale in Italia & aliam filiam nomine Gisilam quæ fuit Abbatissa.

22. They were both Crowned on the same day, *Carloman* at *Soissons*, and *Charles* at *Noviodunum*, or as some say at *Wormes*, the one over *Austrasia*, and the other over *Neustria* and the Territories thereto belonging. *Charles* whose *Tyrocinium*, or first Foundation of matters of Arms had been laid in the War of *Aquitain*, or that against *Gaiffar*, was immediately upon his Promotion presented with a new Subject, whereon to employ his skill and valour from that very Countrey. For the Sons of *Eudo* being all Extinct, one *Hunoldus* as he called himself, its uncertain who he was, or of what Family, but the Name he thought would be a great means to bear him out, affected the Sovereignty of that Province, and easily perswaded the People to accept of him for their Duke. *Charles* to whom *Aquitain* fell at the Division of the Provinces, thought himself concerned as well in Honour as in Interest, to follow the Example of his Predecessours, in not suffering any such Usurpers and unruly Neighbours there to rest, and resolving to march, and endeavour to reduce him, sent to his Brother to joyn with him in the Attempt wherein though not so much, and so nearly, yet by way of Consequence, he must also be concerned. But *Carloman* made no haste to joyn with him, his Courtiers having done ill Offices betwixt them, and raising still jealousies in his Head, of his Brother's restless and ambitious Spirit. *Charles* was no whit pleased to find him of such an humour, and to remove all misunderstandings, desired an Interview and a Conference which was granted, and given at a place called *Duasdines*, but without any good Effect, for *Carloman* returned back, but *Charles* pursued his Voyage and came to *Angoulesme*, where he drew up his Forces and then went in queſt of *Hunoldus*.

Charles and Carloman succeed.

Novioduum bodie Noyon.

De isto loco sic Panchetus ex Aimoino: les freres se virent en Poitou, enon lieu nominé Duadines, que il n'ay pew remarque.

23. *Hunold*

Sect. 4. 23. *Hunold* was not so wise, as to be ready and well prepared before he broke out into Rebellion, and therefore durst not stand his ground, but fled from place to place; *Charles* still dogging him at the Heels, till he forsook the Countrey, and fled to *Lupus* the Duke of the *Vascons*, those which at this day are called *Basceli*. *Charles* thither also pursued him by a Message, Commanding *Lupus* to deliver him up, or to expect him speedily to fetch him with a great Army. He was so sensible of his disability to grapple with the King, that he not onely delivered him up with his Wife and Children, but promised all farther obedience to his Commands; *Charles* in the mean time, while this business was agitating, laying the Foundations of a Castle upon the River *Domonia*, called as *Aimoinus* tells us *Frontiacum*, or as *Eginhart* will have it *Franciacum* from * the *Franks* that Built it, which Original is more probable than that of *Gillius*, who would have it so named, because it was formerly known by that of *Fons Saracenorum*. Having received *Hunold*, he returned with him into *France*, where he kept him in free Custody, that he might doe no farther mischief, without any other Punishment inflicted. This year he kept his *Christmas* at *Dury*, and his *Easter* at St. *Lambert* near *Liege*, passages which we should not relate, but that from thence we may hint these two things to the Reader. The first is, that about these times when Authours take such notice of the places where *Pipin* and his Son *Charles* celebrated these Festivals, Kings began in an extraordinary manner, with great Pomp, Magnificence and Bounty to perform this Duty, this *Charles* afterward known by the addition of *the Great*, being wont to sit in his Robes with his Crown on his Head, upon these occasions. The other is, that from his keeping his *Easter* at this place of St. *Lambert*, it appears as *Fauchet* observes, that the two Brothers had not yet made any certain and determinate Division of the Provinces. For *Liege* and consequently that Village or Palace lies beyond the River of *Meuse*, and so belonged to the Kingdom of *Austrasia*, this River being ever accounted the limit and Border betwixt *Neustria* and it.

Fauchetus hic dicit: Se fanna ex Gasconigne et hras de Loup, male. Gascoña enim & Aquitania his tempore dependant, atque vox Gascoña non nisi aliquot abhinc seculis reperta.

Si fugisse in Gasconiam, fugisse in Aquitaniam. Repete quæ supra de his Reginibus notantur.

** Sed negat hoc Dominus de Sainte, quæ non legitur Franciacum sed Frontiacum vel Frontiacum. Addit Gallia veteribus in ufu fuisse hoc nomen Augustæ cum adjungere nomini illius qui villam condidit vel ejus Patrocinii ut Martinitiacus, Lucaniacus, Frontiniacus, quod nihil aliud sonat nisi Martini Villa, Lucani villa, Frontini Villa. Ubi invenitur Acus prior pars nominis denotat nomen proprium hominis ut in lingua Teutonica Martins dorph, Hansdorp, & in lingua Anglosaxonica Normanton, Normanby, Ketelthorpe, & centum alia.*

24. The Brothers were divided in their affection, and so still continued, however the limits of their Jurisdictions were Indistinct. This grieved their Mother *Bertha* not a little, who to bring them to a good understanding, omitted nothing becoming a Parent's care, travelling from the Court of one to that of the other for this very purpose. They both were Batchellours, and none but the Daughters of Kings seemed fit for their Royal Beds. No King was there in view, who was in a Capacity to suit them, but *Desiderius* King of the *Lombards* in *Italy*; his Daughters would fit them as to their Dignity, and having one for each, their Mother thought this double Marriage would be the greatest means imaginable to restore them to a good and perfect understanding betwixt themselves. To the Court therefore of *Desiderius* she hastes, and easily obtains what she came for. But there happened to be a Rub in the way, which might easily have been foreseen by any one that understood the Affairs of *Italy*. The Bishop of *Rome* was wonderfully concerned at this new Alliance, dreading nothing more than that the House of *Pipin* which had done such Services for his See against the *Lombards*, should be drawn off to their Party, it being his onely Refuge, and danger now threatning him from the same hand every moment. He takes his Pen and writes a most passionate Letter, which cannot but affect him that reads it, though perhaps in a very far different manner. From top to bottom it's full fraught with Religious pretences and Expressions. " He begins with a serious admonition, that they were of the snares " and deceits of the Devil, who entised first, and deceived Man by the means and " Insinuations of a Woman; then after this Preface coming nearer to the Matter, " affirms, that if what he heard were true, *viz.* That one of them was perswaded " by *Desiderius*, to take his Daughter to Wife, it was properly a Diobolical Im- " mission or Insinuation, and seemed no Matrimonial Conjunction, but a Fellow- " ship of a most wicked Invention.

A marriage proposed to the Kings, with the Daughters of *Desiderius* King *Lombardy*.

The Pope's Letter upon that account.

Extat apud Baronium ad Ann. D. 770 num. IX.

Quod certè si ita sit hæc prognitè diabolica est Immissio & non tam matrimonii conjunctio sed conjurationum mequissia adinventionis esse videtur.

25. " His Arguments to prove it are these. From Scripture it appears, that " such grievously sinned as mixed in Wedlock with strange Nations, and with a " Nation strange indeed should they mix, the most generous and Noble bloud of " the *Franks*, the glory of whom excelled the Beauty and Lustre of all other Peo- " ple, must be polluted, which God forbid, by the perfidious and most stinking Nation

...nefida (quod absit) & sceleratissima Longobardorum gente polleatur, &c.

Sect. 4. " Nation of the *Lombards*, a Nation not reckoned in the number of Nations, and " from which Nation it's certain, saith he, that a sort of Leprous Persons do issue; " he adds, that none in his right Wits can imagine, that Kings of so great a Name, " should be involved in so detestable and abominable a Contagion; for what fel- " lowship is there betwixt Light and Darkness, and what Communion betwixt a " faithfull Person and an Infidel? The next Argument he uses is of more weight, " though it make less Noise, (and little Noise indeed it may well make, for not the " least whisper of the thing is to be perceived in any other good Authour,) and " that is, that they were already joyned in Marriage by their Father's procurement, " with two beautifull Ladies of their own Nation. Having been formerly anoin- " ted with Holy Oil, by the hands of the *Vicar of St. Peter*, and being sanctified " with Heavenly Benediction, he bids them beware how they involved themselves " in so great guilt. Then comes the Argument indeed, to which the other Reasons " are but subservient. They must remember they had ingaged themselves to St. *Pe-* " *ter*, and *Pope Stephen his Vicar* and his Successours, that they would be Friends " to their Friends, and Enemies to their Enemies; he demands then how they can " now act against their Souls, and make such a Conjunction as they were about to " do, with the pernicious Nation of the *Lombards*, who were manifestly their E- " nemies, in that they had set upon the Church, and had invaded their *Roman* Pro- " vince. This he inforces with instances of their Father, who when *Constantine* " the Emperour would have had their Sister *Ghysila* for his Son, answered, that it " was not lawfull for you to be joyned with a strange Nation, neither durst act a- " ny thing against the Will and Pleasure of the Bishops of the Apostolick See. He " asks them then how it comes to pass, that they should indeavour to act contrary " to the Will of the Vicar of the Prince of the Apostles, which thing their Father " never attempted, and whether they were not sensible that it was not him, unhap- " py man, but blessed St. *Peter*, whose Vicegerent he was, though unworthy " whom they despised, forasmuch as it is written: *He that receiveth you receiveth* " *me, and he that despiseth you despiseth me.*

26. " After this as the whole Letter abounds with Tautologies, he again incul- " cates their promises of Obedience made to St. *Peter* and his Predecessours, and " himself both by Letters and Messengers. He puts them in mind how *Stephen* " had written to them a little before his death, and by terrible adjurations, had ad- " monished them firmly to abide in their love towards God's Holy Church, and " the Apostolick See, and that they performed to a Tittle what they had ingaged to " God's Apostle. And is this now your promise, saith he? O what Labour did " that most blessed and best *Stephen* undergo! what a dangerous Journey did he " undertake when he was in so weak a Condition! and except the Lord be ready " at Hand, his pains shall be now frustrated, and that Journey which that our Pre- " decessour took into *France* will prove mischievous to us, our Enemies being now " more Elevated than formerly they were, in the height of their Pride and Arro- " gance. Behold, that which we feared is come to pass, our Joy is turned into La- " mentation, the last mischief is greater than the former, and whence we expected " Light to arise, thence Darkness hath broke out upon us. Now comes he to the " business. Wherefore, he adds, blessed *Peter* the Prince of the Apostles, to whom " the Keys of the Kingdom of Heaven are delivered by the Lord God, as also " Power is given to bind and loose in Heaven and in Earth, by our Infelicity ear- " nestly admoniseth your Excellency, and we also together with all Bishops, Pres- " byters and other Priests, and all the Nobility and Clergy of our Holy Church, " as also the Abbats and all Religious Persons, those of chiefest Rank or Judges, " and our whole People of this Province of the *Romans*, by denouncing of Divine " Judgment, conjure you through the living and true God, who is the Judge of " Quick and Dead, and by the ineffable Power of his Divine Majesty, and by the " tremendous day of the Judgment to come, when we shall have all Princes and " Powers, and all Mankind to stand by trembling, as also by all Divine Mysteries, " and by the most Sacred Body of blessed *Peter*, that neither of you in any-wise " presume to take in Marriage the Daughter of the said *Desiderius* King of the " *Lombards*, nor give your Sister *Ghysila* to his Son, nor dare to put away your " own Wives. Then follows, that, remembring what they had promised to St. *Pe-* " *ter*, they should resist the *Lombards* his Enemies, and force them to restore what " belonged to the Holy Church, to the Commonwealth of *Rome*. For all their " promises they have broken, saith he, and they incessantly afflict and oppress us, " are nothing inclined to restore any thing to us, and now as is notoriously known

Sect. 4. " invade our Borders, in presence of your Ambassadours, making a shew of Justice, " but nothing is brought to Effect, neither can we receive any thing of our Right. " Having admonished them to give eard to his Messengers, at length he concludes " with an Anathema, to any that should act contrary to this his Admonition, who is " hereby cut off from the Kingdom of God, and appointed with the Devil and his " most detestable Pomps, and all other wicked Persons to everlasting Burnings. On " the contrary, who observes and keeps to his Exhortation, shall by our Lord God " be made remarkable with Heavenly Blessings, and be found worthy to be partaker of the reward of Eternal Joys, with all the Saints and Elect of God.

27. Thus far the Zeal of *Pope Stephen*, as to the Reason of which its source and Original we shall say nothing, but leave the Reader to his Meditations on the Affairs of *Italy*, how they stood at this Conjuncture. For his Arguments; the Examples he produces out of Scripture, where Marriage with Foreigners was always forbidden and cursed, how they are pleadable in this point is above my Capacity, and perhaps even the Reach of some who are moderately versed in Theological Speculations. The opprobrious Language he gives to the *Lombards*, not to those onely that had offended him, but the Nation it self, and so to many Innocents, as to the matter in hand, how Civil or Christian it is, I had rather his Friends should Judge than I; but one thing we may hence learn by the way, that the *Jews* are not the onely People that have stunk, but the *Lombards* were involved in the same Punishment, because guilty of the same Crime, for as they were, and are Rebellious against Christ, so these *Lombards* were against his Vicar. Our late Authour of the Heroick Poem called *Gondibert*, had certainly little Judgment, to leap over the most Noble Nation of the *Franks*, and omit so many other fit Subjects of wit, and pitch upon such a vile and stinking Nation as this, whereon to Paint out and Imbellish those rare and excellent Qualities, which make Princes Glorious both for Peace and War; we shall hear by the next *Ragguagli*, that he hath smarted soundly for it in *Parnassus*. But the greatest wonder is, the News he tells us of *Charles* and *Carloman*, being e'er this Married to two beautifull Virgins of their own Countrey, a thing which no Historian, or other Authour doth in the least hint at, though the Life of *Charles* hath been written by some that lived in his own time, and some later Writers have used all diligence imaginable, to give an account of his Wives and Issue. Indeed there are that tell, that, while he was Prefect of the Palace, he had several Concubines, whose Names are unknown, by some of which he had a Daughter called *Botede*, and *Pipin* the Bastard, who Conspired against his Father's Life. If the good old Man took these for Wives, (it being possible that true Stories might tire through the length and tediousness of the way, e'er they could get over the *Alpes*, and Lies flie to *Rome* before them,) to put them away, he certainly neither stood in need of his Connivence or Dispensation.

Johan. Tilius in Disquisit. de Rebus Gallicis in Carolo Magn.

28. Notwithstanding such an Impediment, and what was more this thundring Letter, the two Brothers not dreading that which hath caused Nations, if not Devils to tremble, Married their Wives; yet we are told by the Importunity of their Mother, more than out of their own Inclinations, for this Reason, that they were already Married to others. That this may appear, they instance in the matter of *Charles*, (for as for *Carloman* his Marriage as to the Person is very obscure,) that his Wife *Birtha* by name he put away not long after, as they would make us believe out of remorse of Conscience, forasmuch as they say, no cause at all is alledged of their parting. But the thing that was alledged was Womanish Impotence, as at last it appeared, (though something else might be in the Bottom,) and now *Charles* was to take his lawfull Wife again, and had so done doubtless, if he had not been Satisfied in the lawfulness of this last Conjunction, except perhaps the poor Woman in the mean time died Heartbroken with sorrow. Had he had a Wife before, so great offence would not have been taken at the leaving of this, which was indeed never his Wife, and St. *Adelradus* his Kinsman would never have left the Court for being scandalized with so great a Crime, as we are told he did by those that have written his Life. Neither can it be said that *Hildegardis* whom he afterward Married could be his true Wife, which he reassumed, for all Writers with one consent affirm, he Married her after the putting away of *Birtha*, and her Epitaph produced by * *Baronius*, if it was hers indeed, shews that she was his Wife but twelve years, and therefore she dying in the year of our Lord 786; she could not be Married to him till he had Conquered *Italy*, and had both that Countrey and the City of *Rome* in his Power, as is by the Cardinal confessed. The *Roman* Bishop therefore seems to have wanted good Intelligence, and at this time not to have been infallible

The Marriage consummated.

Baronius Tomi 9. Editione prima qui demum in-venit ante Edi-tionem alteram in duobus libris Rerum Gestarum Caroli Magni à Monacho Sangallensi Conscriptis causam divortii fuisse, quia esset Clinica, & ad propagandam prolem Inhabilis. Vide Bar. ad Ann. 771. n. 3. qui eam Bertam vocat. Alii scribunt uxorem Carlomanni fuisse Bertam nomine & sororem ejus Caroli Conjugem nonnulli dicunt fuisse Hermengardem.

* *Alter ab undecimo rursum re sultavit annus, &c. exstat apud Baronium ad Ann. 786. n. 7.*

fallible in matters of Fact, which one sort of People now begin to ascribe to him. He was not onely mistaken in this particular, but in that also of the number of *Desiderius* his Daughters, for he heard but of one, that was to be Married to one of the Brothers, whereas the ancient Annals make it manifest that the two Brothers Married two Sisters. How would he have stormed at this double Alliance! But as much as he stormed at the Conjunction, he was calm enough at the separation, and what Noise soever other Godly men made, the interest of God's Church (which he foresaw now might be advanced, goodman,) stopt his mouth and perswaded him to Patience. Sect. 4.

29. The true reason of his Divorce we may guess at hereafter, noting this at present, that what Reputation with good men he lost thereby, was scarcely repaired in the opinion of Loyal and sober Persons, by another Revolution which shortly after happened. *Carloman* his Brother not long after died, and left at least one Son behind him. *Aimoinus* writes he had Children, one he might have by his late Marriage, and his Wife might by this time be great with another. But *Charles* aspires after the Inheritance, and either finds or makes such a Party in his Brother's Court, as closeth with him out of pretence that the dangers are great, which threaten a Nation in the Infancy of its King, and that it was better for the *Franks* universally to be Governed by a Monarch. He being advanced, the Widow of *Carloman* flies with her rejected Children, and such of the Nobility as detested the Treason into *Italy* to her Father, who by these Forerunners might easily guess what in a short time would follow after. The thoughts of *Charles* were not bounded by the limits of *France*, these were too strait and narrow for his ambitious Soul, yet had his Brother lived, little out of fear of him, could he abroad have attempted, and to what purpose should he seek out Foreign Countries to Conquer, when he was but Joynt Tenant at home, and in his own? This therefore was especial Service the Nobility of *Austrasia* did him, and now that Fortune had so luckily put him in a way, he was resolved not to disoblige her by neglect, but to pursue his opportunities to the utmost. The first was presented by the *Saxons*, whom the Neighbourhood of their Countrey made obnoxious rather than any fault, that at this time they had committed. Having called an Assembly at *Wormes*, he invaded their Countrey, and destroying all things in his way with Fire and Sword, took the Castle *Eresburg*, and destroyed a famous Idol named *Irminsul*. Here as it's said was his Army miraculously delivered from Imminent Ruine. The season and the place wherein they incamped, both Conspired to kill them with Thirst, when in the heat of the Day, as according to the Custome they took their rest, a great Torrent of Water poured it self down from the Mountain whereon the Idol stood, into the Valley where they lay, which abundantly satisfied their parched Bodies. Then the Idol being destroyed, he marched to the River *Wisara*, where he received twelve Hostages from the *Saxons*, and so returned into *France*.

Carloman dies.

Charles Seizes his Kingdom.

Carlomannus Rex decessit 11. Nonas Decemb. in villa Salmuntiaco sepelitur Remis. Ita Annales Pith. ad Ann. 771.

And invades *Saxony*.

30. By this time, the Quarrels betwixt the *Lombards* and the Bishop of *Rome* were come to an height, and the two Daughters of *Desiderius* being returned home, the one as a forlorn and rejected Creature, the other like a poor Widow with her Children at her back spoiled of their Patrimony, and turned out of House and Harbour, had raised, as well they might, storms of Anger and Revenge in their Father's Breast. Yet having digested his Anger, he resolved to go Calmly to work, and try if by fair means he could compass what else Nature obliged him by force to attempt, and that was the Restitution of his Nephews. He applies himself to *Adrian* the Successour of *Stephen*, who he hoped might entertain more milder Councils, and prove more Neighbourly than the former Pope, and knowing in what Repute his See was abroad, especially in *France* with the Kings and Princes, of which his Predecessours had done wonders, he desires him to acknowledge their Title, and doe his indeavour for their Restitution, as a means whereunto he desired they might be anointed by his Hands. *Adrian* was not so ill instructed, nor unacquainted with what was past, as to be ignorant in how fair a way he was for gaining a farther interest in *Italy*, and by what means his Predecessours had got what he now enjoyed. He refused to disoblige *Charles*, and by his answer *Desiderius* perceived that he had rouzed a sleeping Lion, who in expectation of assistence from *France*, would not stick at doing him all mischeif imaginable. He thought it his interest to begin first, knowing in case he could bring the Bishop and his Adherents to a compliance, his work with *France* would be the easier. He therefore attacques and takes several places belonging to the Exarchate, making as if he would besiege *Ravenna*, and upon some farther disgust *Rome* it self. Hereupon to procure delay,

The *Lombards* and the Pope quarrel.

Sect. 4. *Adrian* ſent him ſome frivolous Meſſage, but an effectual one into *France* to *Charles*, to haſten away relief with all ſpeed imaginable.

The Pope ſends to *Charles* for aſſiſtence.

31. *Peter* his Meſſenger or Legate *à Latere*, if you pleaſe, found the King at *Thionville*, where he expoſed to him the danger wherein the Holy Church at preſent ſtood, and the Example of his Predeceſſours upon ſuch occaſions, backed with this ſtrong Motive, that this preſent Attempt was made upon him for his ſake, for refuſing to anoint his Nephews. *Deſiderius* fearing what might come of *Peter's* Negotiation, thought fit to ſend Ambaſſadours of his own to recriminate the Biſhop and excuſe the late Hoſtility. *Charles* gave Audience to the one Party, as well as the other, but knowing how nearly he was concerned to abate the Power and Intereſt of the *Lombard*, and that if his Neighbours houſe was burnt, his own might ſpeedily be on Fire, reſolved to prevent it with a ſpeedy Invaſion. Yet to uſe the ſame Arts *Deſiderius* had done, he ſent Meſſages to him, requiring ſuch things as the King thought himſelf obliged not to grant, and vailing his own Deſigns and Intereſt, with the great Zeal he had for the Church. "*Deſiderius* receives the Am- "baſſadours kindly, profeſſes his Actions warrantable before all equal Judges, both "in reference to the Recovery of his Rights in *Italy*, and the Reſtitution of his "Grandchildren; and he deſires his Brother *Charles* would not give heed to the Biſhops "of *Rome* intereſſed Perſons, and his profeſſed Enemies, but ſeriouſly weigh what "Juſtice he had on his ſide, and that he would be Chancellour betwixt himſelf and "his two young Nephews (for Uncle he was unto them both) whether their "Fathers Inheritance could juſtly be detained from them. This ſaid, he ſent his Ambaſſadours to *Rome*, to try if he could bring the Biſhop off to his Party. But this not ſucceeding, he himſelf reſolved to go thither in Perſon, as to perform his Devotions with his Wife and Children, and an ordinary Train; which *Adrian* underſtanding, commanded the Gates and Walls to be manned againſt him, and becauſe the Churches of St. *Peter* and St. *Paul* ſtood without the Walls, he ordered they ſhould be faſt locked up. And to ſtop his proceeding he ſent certain Churchmen to meet him on the way, and denounce the Eccleſiaſtick cenſures againſt him, in Caſe he would not deſiſt. He obeyed, and after the Ambaſſadours had gone betwixt them ſeveral times to no purpoſe, they returned into *France* to him that ſent them.

32. *Charles* to make the World believe how unconcern'd he was to any Intereſt of his own, and that the Protection of the Church was the onely thing he ſtudied, ſent once more to him, offering him ſuch a ſum of Money in exchange for the Towns he had taken, as would have been much to his loſs to have received. Upon his refuſal, he thought he had made Proviſion enough for his Reputation, and reſolving upon an expedition before-hand, aſſembled his Eſtates together to Conſult. The *Franks* were not all of the ſame mind; for many declared againſt the War, and ſome perhaps addicted to the party of the Sons of *Carloman*, flatly refuſed there-in to ſerve him. This notwithſtanding, he was ſo bent upon his Journey, as he reſolved by no advice or other rubs to be hindred, and for this purpoſe made ſuch Levies, and got together ſuch a Company of Men as evidently ſhewed (which *Sigonius* obſerves) that the deſire he had to Conquer *Lombardy* rather was the Motive that ſpurred him on to this Enterprize, than any Zeal he had for the defence and ſecurity of the Church. The Rendezvous was at *Geneva*, and there he alſo held the Aſſembly of the Eſtates, though in *Aimoinus*, as now we reade it, it be ſaid that he held a Conſultation at *Germana*, a City of *Burgundy* upon the *Rhoſne*, and that there alſo he divided his Forces. But this City has had the misfortune to lye under miſtakes, as to its Name, as well as of late Years, in reference to its Government and Laws in force, before the laſt Revolution. It's moſt probable, that as well the little Province, as Territories about it were in ſucceeding Ages ſometimes under the ſame Lord; yet it is clear from Hiſtory, that ſix hundred Years agoe or more, they were under ſeveral Princes or Potentates, yet neither in this ſpace of time, nor that which went before, nor that which followed (to uſe the words of a learned * Jeſuite) was the Town of *Geneva* ever under the Power and Juriſdiction of any of her Biſhops.

Who prepares for an Invaſion of *Lombardy*.

* *Neque tamen aut ille, aut priores aut poſteriores tempore Genevam oppidum in ullius ſuorum Epiſcoporum fuiſſe poteſtate.* *Monetus in Geograph. Galliæ Celticæ, p.* 312.

The ſituation of *Geneva*.

33. This City is ſeated at the Weſtern Head of the Lake *Lemanus*, where the River *Rhoſne* iſſueth out of it, at the Confines of five ſeveral People (as they were reckoned of old) there meeting with the Angles of their Territories, *viz.* the *Antuates*,

tuates, *Focunates*, *Genevenſes* on the left ſide of *Rhoſne*, and the *Brannovii* and *Latobrigi* on the right. Its Name hath been variouſly changed and corrupted by unskilfull Hiſtorians and Geographers. As beſides this of *Aimoinus*, in Authours of a thouſand Years ſtanding or thereabout, for *Geneva* you ſhall ordinarily find, *Genava* and *Jenoba*; but thoſe that have ſcribled within theſe three hundred Years, as unskilfully, as commonly call it in Latine *Gebenna*, and its Citizens with the Inhabitants of the places adjoyning *Gebennenſes*, moſt corrupt Words forged in the ignorant Heads of ſome Pedants, who had read a moſt groſs and ſilly Interpretation of that paſſage in *Lucan*: *Qua Montibus ardua ſummis, Gens habitat cava pendentes rupe Gebennas*: This taught them that *Gebenna* was a Mountain, which ſeparated the *Arverni* from the *Helvetii*, and had a City upon it called by the ſame Name. By this fond Comment the Youth was generally cheated throughout *Europe*, which drunk in the Notion as proceeding from an Oracle, and in ordinary writing uſed the word *Gebenna*, rejecting the old and true one of *Geneva*. This filthy Errour was eſpecially propagated amongſt the Eccleſiaſticks, ſuch as commonly wrote, their Books lying open to the Cheat above all Men. But to undeceive the Reader; theſe Mountains * *Gebennæ* or *Cebennæ* (in French *les Ceneines*) in no reſpect appertained to the City of *Geneva*, nor yet to the *Helvetii*, from which they are diſtant above fifty Leagues; but lye amongſt the *Helvii* (not *Helvetii*) the *Arverni*, *Volci*, *Ruteni* and *Cadurci*, of which People † *Lucan* ſpeaks, and not of *Geneva*, the Inhabitants whereof with others adjoyning he had mentioned before.

Sect. 4.

* *Gebenna Mons Cæſari, Cebenna Plinio, Cemmenus Straboni, Aquitaniam Gallia Narbonenſi dividit, ut definiunt idem Strabo, Plinius & alii, & Gabalitum, Cafci Arvernos ab Helviis diſcludit ut ſcribit ipſe Cæſar. laude celebris, ex eo Tarnis fluvius Oritur.*

Cebennarum pars Lofera vulgo Lozere, Mons altiſſimus in finibus † *Et ſpatioſas Cæſar per Gallica rura Cohortes,*
Evocat & motis Romam petit undique ſignis.
Deſeruere cavo tentoria fixa Lemano,
Caſtráque, quæ Vogeſi curvam ſuper ardua rupem.
Pugnaces pictis cohibebant Lingones Armis. *Lucan. lib.* 1.

34. *Charles* at *Geneva* divided his powerfull Army into two Parties, whereof one he committed to the Conduct of his Uncle *Bernard*, to march before by the way of *Mons Jovis*, or *Jupiter* his Mount (by *Fauchet* called *Mont jou*, by others, ſaid to be that which now is known by the Name of *Genebra*, the Top of the *Alpes Cottiæ*) to ſeize upon the *Straits*. The other he purpoſed to lead himſelf by the Road which lay toward the Hill *Caniſius*. *Deſiderius* upon Notice of their Intenſions, had ſent ſome Companies to ſecure the narrow Paſſages, he himſelf with his Army marching after and expecting what ſhould be the event: The *Franks* coming to make their paſſage, found ſuch oppoſition as diſcouraged them; and here, if you pleaſe to believe thoſe that favoured one of the Parties, a great Miracle was wrought; and doubtleſs it was in his behalf. For the *Franks* not knowing what Courſe to take, as utterly unable to break through, ſtood gazing with their Fingers in their Mouths, when all on a ſudden to their no little wonder, they ſaw their Enemies run away in a Panick fear without any at their Heels, without as much as one Man got through the paſſage to look at them, or any Accident at all arrived to affright them. Seeing ſo great a Miracle was wrought, they muſt not be wanting to it, and themſelves, but through they paſs, and Manfully hew down all before them. Poſſibly ſome might diſcover a new Path, and climbing over the Mountains come upon the Backs of thoſe that poſſeſſed the *Straits*, a thing as the Reader may remember practiſed in other places of this Nature, and they being either killed or running away the Army might take a falſe Alarm, and run for Company, as hath been uſual. *Deſiderius* was now in an ill Caſe, as *Aiſtulph* his Predeceſſour had often been upon the like occaſion, and no wonder he and his Countreymen might ſmell unfavourly, being put into ſuch and ſo many frights by Procurement of thoſe, who firſt cryed ſoh and ſtopt their Noſes.

Vide Anaſtaſium.

Charles beats the Lombards.

35. *Deſiderius* with *Aldegiſus* his Son, and the Captains of his Army ran towards *Pavia* as faſt as their Horſes could carry them, whom when the fit of Wonderment was over, the *Franks* followed, and there cloſely beſieged him. The King thinking it not prudence to venture all in one bottom, ſent his Son, a young Man of ſingular hopes, together with the Widow and Children of *Carloman* to *Verona*, he himſelf ſtaid in *Pavia* which was very well fortified, and to inable it the better to endure a Siege he had ſent out into the Countrey all the Weak, and unprofitable multitude. *Charles* perceived the Town would endure a ſhock, and thinking it no good Husbandry to have all his Men idle here, when fewer would ſerve the turn, and there was Work elſewhere, left his Uncle before *Pavia*, and led part of the Army againſt *Verona*. *Adalgiſus*, the Son of *Deſiderius*, finding this City in no Caſe to hold out, made his Eſcape, and got him to *Conſtantinople*, hoping to reſerve himſelf

Alii ut Godefridus de Viterbo Gaguinus & Paulus Æmilius aiunt magnum prælium fuiſſe commiſſum quo multa millia occiderunt.

Sect. 4. himself to better times, which the Inhabitants perceiving, thought it not amiss to provide for themselves also in the contrary way, and upon good Terms yielded to him, who they had good reason to believe would prove the Conquerour. The Wife and Children of *Carloman* became his prey, whom having got into his hands he sent away speedily into *France*, and as the *French* Annals will make you believe there they were entertained very Honourably, though how, and in what manner, they either cannot or will not, or rather dare not tell you; to be sure they paid well for their Entertainment be it as good as could be, for we do not hear that they were ever restored to their Inheritance. *Verona* being thus delivered up, all the rest of the Cities of *Lombardy* followed their Example, onely *Pavia* still held out, being every way furnished for a Siege of long Continuance. *Charles* perceiving this, and resolved to tire them out, having now spent six Months in the Siege, and *Easter* drawing nigh, resolved to satisfie his Curiosity in seeing *Rome*, as well as pay his Devotions at the Sepulchres of the Apostles.

And subdues all *Lombardy*, except *Pavia*.

36. How he was there entertained, and what farther passed betwixt him and the Pope, will be more proper for us to enquire in the History of that Countrey; here we shall onely say, that eight days after his coming to *Rome*, he returned to the Siege of *Pavia*. Here within a while his Work was done to his hands; those whom his Arms could not Conquer, were constrained to yield to Death, that Conquers all Men, many of the stout Defendants perishing by a Plague, and as it were attending the Expiration of the Kingdom of the *Lombards*. *Desiderius* seeing it was to no purpose to stand out, and that the longer he did it, his Terms might be the worse, yielded himself with his Wife and Children unto *Charles*, who sent them to *Liege* in *Gallia Belgica*, where they wore out their days in Honourable restraint, and then as some say, in order to the Settlement of this his new Kingdom, made another Journey to *Rome* to consult with the Pope, which done, and all things ordered as seemed most convenient, he returned back into *France*. Here more work was cut out for his itching hands, for the *Saxons* irritated with what he had done to them, and presuming upon his absence had invaded their Neighbours, and made great waste and slaughter where e'er they came. To restrain them he sent three Parties so many several ways into their Countrey, which did them very much mischief by burning and plundering their Houses, and killing and taking Prisoners as many as they could meet with. But this did not satisfie the King, he resolves either wholly to Conquer them, and bring them to Christianity, or to root out and quite destroy the Nation. As a means to accomplish this, he Summons the Estates to meet and lay their Heads together at *Duren*, or *Duria*.

Which is surrendred to him, with their King *Desiderius*.

The *Saxons* invade *France*.

Aimoinus, lib. 4. c. 70.

37. The meeting dissolv'd, and an Army prepar'd, he passes the *Rhine*, and presently takes a Fort called *Sigeburg* by storm, wherein was a Garrison of the *Saxons*. *Eresburg* another Castle which they had demolished, he caused to be rebuilt and Garrison'd with a Party of his own Men. Then passed he on to the River *Wisara*, where he found a great Company met together at a place called *Brunesberg*, with intension to put a stop to his March; but in vain; for at the first rencounter they were worsted, put to flight, and many slain. The place where *Charles* incamped, *Krantzius* tells us, in his time was still to be seen distinguished into the Quarters or Divisions. Passing then the River after this Obstacle was removed, he came to another called *Onacer* or *Onacra*, where he was met by *Hessi* one of the Princes of the Countrey, who together with the *Ostfali*, or those that lived toward the East surrendred themselves into his hands, and gave such Hostages as he demanded. Hereupon he retreated, and coming to a place called *Buki*, the *Angarii* presented themselves, and followed the Example of the *Ostfali*, in swearing Obedience, and delivering Hostages. But part of his Army he had sent to the River *Wisara*, and that met not with so good Fortune, by reason of their Carelessness and Negligence. For at a place they called *Hadbeki* incamping themselves, and sending out their Foragers the *Saxons*, who spake the same Teutonick Language with them, and it seems had clothed themselves on purpose after their Fashion, joyned themselves and mixed with them, which done, without any discovery they returned with them into their Camp, and expecting an opportunity when the *Franks* were asleep, fell upon them and killed a great number, yet by the Valour of such as escaped the danger, were beaten again out of the Camp. *Charles* having notice of the Strategeme marched with all speed toward the Camp, and cut off a great multitude of those that fled, which having done, and wasted so the Countrey, that he forced also the *Westfali* to beg Peace, and give up their Hostages, he thought it convenient to return and take up his Winter Quarters in *France*.

But are forced to beg Peace.

38. He

Sect. 4. 38. He was scarcely arrived at his Palace, when News was brought him out of *Italy*, that *Rotgand*, a Duke of the *Lombards*, whom after the defeat of *Desiderius*, he had preferred to the Government of *Forumjulii*, had rebelled and drawn back many of the Cities of *Lombardy*, under pretence of returning to the government of their own Kings; for *Adalgisus* at *Constantinople* had watched all opportunities, and hovered over *Italy* for a convenient season to re-enter. After a little consideration he caused his most active and resolute men to make ready, and with little noise, but great expedition, hasted into *Italy*, where he presented himself, and gave Battel to *Rotgand*, when they thought he had been ingaged in the same manner in *Saxony*. He easily overpowered him, and receiving the Towns which had revolted, upon their submission, re-settled all things, and returned as speedily and unexpectedly into *France*, as he had thence departed. He knew he had good reason so to doe, for he expected fully to hear that the *Saxons* had once more rebelled, and so he did, assoon as he had passed the *Alpes*; for they had taken the Castle of *Eresbourg*, and had laid Siege to the other of *Sigisbourg* where they found greater opposition. The Garrison made very gallant Sallies, and did great Execution upon their Enemies, who were more affrighted by a Vision, two fiery Helmets appearing, it's said, on the Top of the Church: which struck them with such amazement, and so powerfully convinced them that God Almighty fought against them, that in a Panick fear they quitted the Siege, and fled as for their Lives, which yet many of them lost; for the *Franks* issuing out of the Fort, pursued them as far as the River *Lippia*.

Charles chastises the Rebels in *Lombardy*.

Another Invasion of the *Saxons*.

39. *Charles* summoned the Estates to meet at *Wormes*, where it was resolved a sudden Invasion should be made into *Saxony*. And so sudden it was, that he surprised them, and prevented all their preparations for resistence, so as they were forced to use the Skin of the Fox, not being now able to compass that of the Lion, and meeting him at the Head or Spring of *Lippia*, in a most suppliant posture begged pardon for what was past, and many of them hypocritically offered themselves to be baptized. Upon this submission he readily forgave them, and causing such to be baptized as presented themselves, received their Hostages. Then commanded he the Castle of *Eresbourg* to be repaired, and another Fort to be erected upon the River *Lippia*, wherein he placed a strong Garrison, as a Curb upon the Countrey, which done, he marched back into *France*. But this was with a purpose of returning the Year following. For assoon as *Easter* was over, he again invaded *Saxony* with a great Army, and to settle the People in his Obedience, which he still very much distrusted, appointed a general Assembly of them to be held at *Paderborn*, a City of *Westphalia*. Here all the Nobility, as well as the People, met, except one *Widichind*, who conscious to himself how much he had disobliged and incensed the King, durst not adventure to be present, but fled to *Sigifrid*, the King of the *Danes*. All the rest that were present submitted themselves fully to his Commands, and desired Pardon on this condition, that if ever after they rebelled, they should forfeit both their Lands and Liberty. Many of them now again, but onely upon design to please him, renounced Paganism, and were baptized. He caused to be seized *Angrye*, the principal Town belonging to *Widichind*, and for Instruction of such as had been baptized in the Christian Faith, founded an Episcopal See at *Osnaburg*.

Who are forced to beg Peace, and give up Hostages.

Le Latin des Annales de S. Martial dit Ingenuitatem & Alodem guerpierunt, d' ou vient nostre d' Eſguerpir, qui ſignifie aſchir: & celles de langage ruſtic: Ingenuitatem & Alodem manibus dulgtum fecerunt, qui ſignifie le Meſme. Carie n'ay ruſticy ces mots que pour marque de l' antiquité, & repreſenter noſtre langue. Fauchet. en Charle maigne.

40. But while he was making an end with the *Saxons*, an Address was made to him by one *Ibnalorabi*, a Petty *Saracen* Prince in *Spain*, who, with several others of his Countreymen, was come to complain of his Neighbour, to desire his aid, and give up himself and his Dependents wholly to his Power, on condition he would go and make War against the Aggressour. He considered seriously of the matter. The *Saxons* now seemed to be quieted, *Italy* was also in repose, and in as good a condition as he could wish, and in *France* it self was no appearance of any trouble, he could not be idle, his military Men would rust and grow unserviceable, if they had nothing to doe, and above all things Dominion was agreeable answering his Desires, Opportunities and Abilities, hoping therefore by this means to get some footing in *Spain*, he resolved upon the Enterprise. His resolution being fixt he made all possible haste to be there, and would not defer his Journey till

Charles makes an Expedition into *Spain*.

Tunc ex perſuaſione prædicti Saraceni ſperm capiendarum in Hiſpania Civitatum haud ſiniſtrà concipiens, &c. Aimoin. l. 4. c. 72.

Easter

Sect. 4. *Easter* was over, but resolved to celebrate that Festival in *Aquitain*. This done he passed on to the *Pyrenæans*, through the Territories of the *Basques*, or *Biscainers*, and in his way took in the Cities, and subdued the Countrey, as far as the River *Iberus*, which arising in *Navarre*, pours it self by the City *Dertosa* into the Mediterranean Sea. Then passing the River, he took *Cæsar-augusta*, the principal City of these parts, over which he made *Ibnalarabi* King, and so having settled matters as to him seemed convenient, and received Hostages, he returned to *Pampelo*, the Walls of which he demolished, to hinder a Revolt, and then put himself on the way toward the *Pyrenæans* in order to his return home. Coming to the straits and precipitous places, the Army was constrained to march, not in the order it was wont, but drawn out in length as the nature of the ways required. In these difficult places, which were also full of Wood, did the *Vascons* (those of *Iberia*, or of *Navarre*,) lie in wait, and falling on a sudden on the Rere, made great slaughter of the Waggon-drivers, and such as followed the Camp, and plundered the Baggage. Then did they advance farther, and in a Valley called *Roncavallus*, set upon the Party it self, and notwithstanding all the Officers could doe, put it all to the Sword. Though in Numbers they were inferiour to the *Franks*, and very slightly armed, yet had they the Advantage by their knowledge of the place, their being accustomed to climbing, and the lightness of their Weapons. In the fight fell most of the great men the King had about him, of whom the most remarkable were *Eghart*, the Overseer of his Table, *Anshelme*, a Count of the Palace, and *Rotland*, or * *Roland*, Governour of the Borders of *Britain*, of whom many Romantick stories have been † written. But the worst was these *Vascons* could not be punished, nor Vengeance taken on them for so foul an Affront, for having done the feat they secured themselves in the Woods and Mountains, and not a Man of them was to be seen. This much troubled *Charles*, and gave a notable check to his triumphant fortune. But seeing here he could not make up the business, nor obliterate the disgrace, he returned home, expecting some good opportunity to doe it elsewhere.

Eginhartus in vita Caroli.

But in his return his Army is overthrown by the *Vascons*.

* *Rowland*, or *Row-land*.

The rest of the Land or Countrey. In

French *Roland*, in the Netherlands *Roeland*, and *Orlando* for *Rolando* in Italian. † *Come Orlando Furioso Mid. Ludovico Ariosto.*

Che Comincia:

Le donne i Cavallier, l' arme i amori
Le Cortesie, l' audaci imprese io canto
Che furo altempo, che passaro i Mori
D' Africa il mare ein Francia nocquer tanto
Segnendo l' ire' eil giovenil furori
D Agramante lor Re; che si die vanto

Di vendicar la morte di Trojano
Sopra Re Carlo Imperator Romano.
Dira d' Orlando in un medesmo tratto
Cosa non ditta inprosa mai ne in rima
Che per amor venne in furore e matto
D' huom, che si saggio stassimato prima, &c.

41. At his return his Melancholy was somewhat mitigated by the sight of a young Son; for *Hildegardis* his Queen was newly brought to bed of Twins, whereof one died; this other that survived he named *Ludovicus*, or *Lodowick*. But the News of the Defeat he had received by the *Vascons* had reached the Ears of the instable and rebellious *Saxons*, who rejoiced exceedingly at it, and thought they had now a convenient opportunity offered for revenging upon his Friends and Subjects the many Injuries they had received from him and his Predecessours. They invaded their Territories, and destroyed all the parts of *Germany* with Fire and Sword, as far as the River *Rhine*. No place or Person, sacred or prophane, did they spare, but managed their work with so much Rage and Cruelty, as plainly demonstrated, in the opinion of *Aimoinus*, that they came not for plunder, but were drawn on by the more pleasing allurement of Revenge. The News was brought to *Charles* as he lay at *Antissiodorum*, who with speed commanded some Companies of *Franks* and *Alemans* to march, and, if possible, to intercept them with their booty. But they knew the fault they had committed, and unwilling to be called to an account, made what haste they could to get home; so that the Forces of *Charles*, with much adoe, overtook them in a Village of the *Hassi*, standing upon the River *Aterna*; but there overtaking them, as they were passing the River, made of them such slaughter, that scarcely any remained to carry home the News. But the King thought neither this a full chastisement, nor a satisfaction to his Honour. Having kindly wellcomed *Hildebrand*, the Duke of *Spoletum*, who came to wait on him out of *Italy*, with great Presents, he buckled himself to another expedition into *Saxony*. The usual Assembly of the Estates he held at *Duren*, and so with his Army passed over the *Rhine*, which he had scarcely done, when the bold *Saxons* opposed his March at a place called *Buocholt*. But here also they were miserably beaten, and put to flight, and the King entring the Countrey of the *Westfalians*, they all yielded

Another Invasion of the *Saxons*.

But with the loss of the whole Army.

yielded themselves to him. Thence he moved toward the River *Wisera*, and incamping in a place called *Nudufulli*, there rested himself and his Army for some days, and thither the *Angarii* and *Eastfalians* thought it best to come to give up their Hostages, and swear Obedience, which being past, the King returned over the *Rhine* to *Wormes*, and there he wintred. Sect. 4.

The *West* and *Eastfalians* with the *Angarii* subdued by *Charles*.

42. But he thought not his work to be yet completed, and inwardly fretting that this stubborn Nation should perpetually create him trouble, he was restless in his Mind, till he could bring them once into a settled course of Fidelity and Allegiance, and therefore assoon as the season of the Year would permit, once again he led a strong Army into *Saxony*. The Eastern *Saxons* he commanded to give him a meeting at the River *Onacer*, which Summons they obeyed, and a great multitude counterfeiting Christian Religion, were here baptized in a place called *Orehim*. Thence he marched to the confluence of the two Rivers, *Ora* and *Albia*, where he settled matters, as well amongst the *Sclavi*, who inhabited beyond, as the *Saxons*, that lived on this side the Water, which having done, he returned home. But at home in Idleness he could not rest; having no matter now left in *Saxony*, to work upon, nor at home to disturb his foreign Expeditions, his mind was wholly bent upon *Italy*, having had better fortune, and therefore more encouragement in passing the *Alpes*, than he had had in retreating over the *Pyrenæans*. Here our Authours that were Churchmen, would fain make themselves and us believe, that his Design was purely religious, that he went to *Rome* to pray, and pay some Vows. But not to question his Religious Inclinations, he might well be induced to undertake this Journey, for other very grave and political Reasons. He had planted a new French Kingdom, as it were, in an Italian and foreign soil, and for it to thrive and prosper, there was requisite a little looking after. The *Lombards* he had no reason to believe so much in love with him, as that their affection would not faint and cool by discontinuance of sight and commerce. *Aldegisus*, the Son of the late *Desiderius*, hovered over *Italy*, and expected when a convenient opportunity would be presented of repossessing himself and family of his Father's Kingdom.

Charles goes for *Italy*.

43. He thought it not amiss to carry his Sons along with him, having had by *Hildegardis* three, *viz. Charles*, *Pipin* and *Lodowick*, besides other Children of the female Sex. He had found by experience, that the Authority of the *Roman* Bishop had not been unserviceable in the crowning of him and his Brother *Carloman*; and be resolved now to desire the present Pope, who he knew would hardly refuse him any thing to give them the same Cast of his Office. To *Rome* he came, after he had settled matters in *Lombardy*, where he was kindly entertained, and according to his desire *Pipin* was first baptized, and then anointed King of *Italy*, and his other Son *Lodowick* over *Aquitain*. In his Return at *Milan* he had a Daughter baptized by *Thomas*, the Archbishop of that See, and named *Gisla*. But amongst other things agreed on betwixt him and Pope *Adrian*, it was resolved jointly to send to *Tassilo*, the Duke of *Bavaria*, to put him in mind of the Oath of Duty and Allegiance he had made to *Pipin*, and his Sons and Successours, the Kings of *France*. They that were sent so effectually managed their business, that he promised Immediately to repair to the King, if he could but be secured of his Life by sitting Hostages. The Hostages being sent he came, as he had ingaged, and receiving the Oath of Fidelity, gave up twelve of his own for good and faithfull performance of it, which done, he returned into his own Countrey, but not long continued in Obedience. *Charles*, secure of him, now, as he thought, found reason in Spring to make a Progress into *Saxony*, resolving to hold a general Assembly of the States, as he was yearly wont to do in *France*. At *Coloin* he passed the *Rhine*, and with all his Army came to the head of the River *Lippia*, where he incamped, and continued many days.

Thence to *Rome*.

Where his Sons are baptized, and anointed by Pope *Adrian*.

After his return he goes to *Saxony*.

44. Here, amongst other business of Importance, he gave Audience to the Ambassadours of *Sigefrid*, King of the *Danes*, as also to those of *Caganus* and *Jugunus*, Princes of the *Hunnes*, sent to desire his Friendship and Alliance. But the Assembly being dissolved, and the King returned back into *Gall*, *Widikind*, who, as we said, fled to the Danish King, returned home, and put all into disorder, which had in appearance been formerly settled. At the same time News was brought to Court, that the *Sorabi*, or *Slavi*, who inhabited betwixt the two Rivers, *Albia* and *Sala*, had made Incursions into the neighbouring Territories of the *Thuringi* and *Saxons*, and had wasted certain places with Fire and Sword. *Charles* hereupon gave speedy order to three of his Ministers, *Adalgisus* his Chamberlain, *Geilo*

The *Slavi* make Incursions on their Neighbours.

Sect. 4. The Treachery of the *Saxons*.

the *Comes Stabuli*, and *Woradus* a Count of the Palace, to raise a sufficient number of the Eastern *Franks* and *Saxons*, and therewith to chastise the Insolence of these Rovers. They, when they came upon the Borders of *Saxony*, to their wonder and disappointment, instead of Assistence, found the *Saxons*, by the Practices of *Widikind*, ready to fight against them. It happened well that they met with *Theodorick*, a Count, the King's Kinsman, who hearing of the Revolt, had levied Forces all on a sudden in *Ribuaria*. He offered to join with them, and set upon the *Saxons*, who had incamped on the North side of an Hill, called *Suntel*, and they seeming to close with him, ordered him to take one way, and they would march another, so as to incompass the Hill, and surprise them. But they feared lest he should have the Honour of the Victory, and therefore resolved to fall upon the Enemy by themselves, before he could come up and meet them. And on the Enemy they fell, not in any order, but confusedly, every one putting Spurs to his Horse, and striving who should be the foremost to seize the Prey, which they doubted not but would fall into their Hands. They were so warmly received by the *Saxons*, that they were all in a manner slain, those few that escaped betaking themselves to the Army of *Theodorick*. Amongst others fell *Adalgisus* and *Geilo*, besides four Counts, and twenty Noblemen.

Who are sound-ly beaten in the next Expediti-on.

45. The News of the defeat being brought to *Charles*, in great indignation he raised an Army, and entred *Saxony*, where calling before him the Nobility, he inquired into the Authours of the Revolt. All the blame was laid upon *Widikind*, but he, aware of what would follow had again withdrawn himself into *Danemarke*, or amongst the *Normans*, as our Authours call them, and no example of severity could be shewn upon him. Of those therefore which, moved by his Persuasions, had risen in Rebellion, and destroyed so many *Franks*, no fewer than four thousand and five hundred Men were delivered up, whom he commanded all in one day to be beheaded upon the River *Alarus*, at a place called *Fredi*. This severity was great enough, and possibly too great, for instead of awing the *Saxons*, it drove them into a rage, and caused an universal Defection. Then was more work made for the King, who being in honour obliged to prosecute the business to the utmost, made preparations in Spring for another Expedition, when by a Domestick Accident his Journey, for some time, was retarded. The last day of *April* was the last of the Life of *Hildegardis* his Queen, whose Funerals he staid to see Royally solemnized, and then he began his march for *Saxony*, where the Natives were prepared to receive him at a place called *Theothinelli*, as *Aimoinus* hath it. He fell on them so suddenly, that he made a very great slaughter, and of so vast a multitude very few escaped. From the place of the Battel he marcht to *Paderborne*, where making some stay for other Forces, which he had appointed to follow him out of *France*, he understood there was another Party of *Saxons* assembled at the River *Hasa*, with Intention to give him Battel, if he came that way. The supplies being arrived, he marched thither, and had the same success, putting to the Sword an innumerable multitude, and taking very many Prisoners. Thence triumphantly he marched Eastward, first to the River *Wisara*, and then as far as *Albia*, wasting all things in his passage. This done, he returned with his Victorious Army into *France*, where he presently married *Fastrada*, the Daughter of one *Radulf*, a Count, a *Frank* by Nation, by which he had two Daughters. The same year he married her he lost *Bertrada*, his Mother, who died on the twelfth of *July*. All the Winter he spent in the Village called *Heristall*, and there kept both his *Christmas* and *Easter*.

Charles endeavours to finish the War with the *Saxons*.

46. Thence assoon as the season would well permit, he resolved to return, and finish the War with this stout and pertinacious People. Passing the *Rhine*, he wasted *Westfalia*, and coming to the *Wesere*, when he perceived he could not doe the same by the Northern Party of *Saxony*, by reason of the Waters which overflowed the Countrey after great Rains, he himself went into *Thoringia*, commanding his Son *Charles* to stay with part of the Army in the Borders of *Westfalia*. Through *Thoringia* he marched into the Champion Parts of *Saxony*, being near the two Rivers *Sala* and *Albia*, and wasting all the Eastern Countries, he then retreated into *France*, His Son *Charles*, in the mean time fought very prosperously with a strong Party of Horse, which gave him battel, with hopes, that though he was the King's Son, he might not be Heir to his good Fortune, but having made great slaughter of them, he followed his Father to the City *Wormes*. But there his Father would not keep him company; for into *Saxony* again he marched, having no patience till he

Sect. 4.

he could conquer and subdue this stubborn Nation, and in his Camp, in a Village called *Huthagoe*, upon the River *Amba*, he kept his *Christmas*. The Festival being over, he wasted the Countrey, as far as the place called *Rum*, at the confluence of the two Rivers, *Wesere* and *Waharne*, and the season of the year, with the great Inundations, prohibiting him to pass farther, he returned to the Castle of *Eresburg*, and there spent the remaining part of Winter.

47. The remaining part he spent not idly; securing his Wife and Children, whom he had sent for, by a strong Garrison placed in the Castle, into all parts, as he could, he made Excursions, killing every Person he could light on, and burning all the Villages. Sometimes in his own Person, and otherwhiles by his Captains, he so plied the *Saxons*, that all Winter long they had no rest, and when Spring appeared, for their farther comfort, a fresh Army out of *France* arrived. Having thus abated their Spirit, as he thought, he held an Assembly at *Paderborne* in a solemn manner, which being concluded, he removed to a Village called *Bardengoe*, where he understood that *Alboin* and *Wittichind*, the chief Authours of so much trouble, were retired beyond the River *Elbe*. He sent to them by some of their own Countreymen, advising them as the best for them, when all was considered, to come to him, and own him for their Sovereign Lord, which so wrought on them, together with the late miseries sustained by the War, that they refused to appear, upon no other grounds, than that they had no Hostages for their security. He sent them Hostages by one *Amalwin*, a Courtier, and then he returned into *France*. They were not long after him, for having received the Hostages with *Amalwin*, they came to the Court at *Atigny*, where all controversies were ended by their re-

Which at last he effects,

ceipt of Baptism, and *Witichind* was made Duke of *Angrie*, being, as some have thought, the Progenitor of *Hugh Capet*. Thus Clemency effected that which the Severity of War and Revenge for so long a time could not bring about, and the *Saxons* for some Years continued in Obedience.

48. But these being over wearied, as it were, with Ease and Fidelity, they returned to their old rebellious humour, and then returned the like slaughters and devastations, as formerly had been committed. Neither could this humour be quite subdued by so many and grievous Calamities, till Industry completed that which Force and Arms had in vain attempted, almost for thirty years together. Such as lived on this side the *Elbe* were by the more frequent Incursions of the *Franks*, sooner tamed, their humours were sooner softened by their conversation, and their fury and violence calmed by the powerfull Charms of Christian Religion, once cordially imbraced. But they that lived on the farther side this River, being separated from the rest, less accustomed to commerce, and dwelling in no great apprehension of Chastisement, upon every occasion were prone to their old wont of Rebellion. *Charles* therefore passing over the River, caused them to assemble together, and easily procured them to take the Oath of Fidelity, to which they had been as much accustomed, as to break it. This

By transplanting them.

done, he persuaded them to make an Exchange of this their Countrey, which was cold and barren, for better Lands, which he would find out elsewhere. Ten thousand of the most stout and considerable among them, with their Wives and Children, he transported over the *Rhine*, and planted them amongst the *Franks* in *Brabant*, *Flanders*, and other places. And that these that remained might not return to their perfidious practices, and the grounds lie waste and useless, he caused the *Abroditæ*, a People he could trust, and the next Neighbours, thither to remove themselves. Moreover he settled a Council in the place, which was to use great severity toward such as falsified their Faith, the Image of which continued in those parts many Ages after. The Conclusion of this War, and this Transplantation of the *Saxons* happened some time beyond the period of this present Volume; some say in the thirty third year of the War; but we were unwilling to leave the Reader altogether in the dark, as to its issue.

49. *Charles*, by his Clemency to *Wttichind* and his Party, settled the Affairs of Saxony for a certain time, when his contrary carriage to the Oriental *Franks* or those of *Franconia*, living beyond the *Rhine*, procured a quite contrary effect amongst them. His second Wife, *Fastrade*, was of a quite different humour from that of his first, of an high and turbulent Spirit, intermeddling with Affairs of State, and disquieting both her self and Husband, as such Women are wont to doe, if her ambitious, envious and covetous desires were not in every point observed. Overcome by her vexatious Importunities, he entred upon some severe Courses, which cast

A Conspiracy.

the Nobility of *Franconia* into a Conspiracy, through the persuasion of one *Hardrade*, a Count. But herein, as in his other Affairs, the good fortune of *Charles*

Sect. 4. appeared, that he had notice of the Plot, e'er it could break out into any open Act, and by his Prudence and Expedition prevented the miſchief intended, the Conſpiratours being timely apprehended and committed to Cuſtody, with whom, as conſcious that his contrary acting had given them ſome provocation, he reſolved not to proceed with cruelty. Some were deprived of their ſight, others ſent into baniſhment, ſome abſolutely pardoned, and none put to death, onely three were killed by the Officers, from whom they fled. *Charles* having ſo happily prevented this deſigned miſchief, as the Foſter Child of Fortune was ſtill led on from one felicity to another. The Inhabitants of *Armorica*, or *Little Britain*, for all his great Succeſſes and Name, were unwilling to pay their accuſtomed Tribute, which the Kings had accounted their due, ever ſince this People being expelled by the *Saxons* and *Angli* out of the Britiſh Iſland, and having ſeated themſelves in the Territories of the *Veneti* and *Coroſolitæ*, had from *Scylla* ſain upon *Charibdis*, and flying from the Yoke of one, had been forced to ſubmit their Necks to that of another. Sometimes they refuſed to pay their Money, with what ſucceſs we have formerly ſeen; now and then, as they ſaw their opportunities, they would rebell, and turn open Enemies invading and ranſacking the neighbouring French Territories, but ſtill in the end were forced to return, and join themſelves in the yoke of Servitude with the reſt of the conquered or truckling Nations. *Charles* diſdained to bear that Indignity which the meaneſt of his Predeceſſours would not endure, and diſpatched away *Audulfe*, the Overſeer of his Table, with Forces ſufficient for chaſtiſing and reducing them, who had ſuch ſucceſs, that without much adoe he brought them to crave Pardon, and promiſe all good demeanour for the time to come, for confirmation whereof they gave up their Hoſtages, whom, with many of the Nobility, he preſented to the King, then lying at *Wormes*.

The *Britains* of *Armorica* reduced to Obedience.

50. *Gall* was wholly now in repoſe, and in perfect Obedience, not the leaſt ſtir nor accident happening, which might make him work. Being ſo much at leiſure, he thought it as profitable as gratefull to his Humour, to make another Voyage into *Italy*, and viſite thoſe foreign Dominions, which he had not of ſo long a time beheld. He had ſome reaſon, for *Aragiſe*, Duke of *Beneventum*, began to grow very formidable, making up again a little ſhew of a Kingdom, and having never thoroughly ſubmitted himſelf, nor owned the Authority of the *Franks*. Upon him *Charles* reſolved to fall on a ſudden, and take him unprepared, to which purpoſe in the middle of Winter he took his Journey, and having made his paſſage over the *Alpes*, and through the Snow, kept his *Chriſtmas* at *Florence*, which over, he departed with all ſpeed to *Rome*. Here having for ſome time conſulted with *Adrian* the Biſhop, and the reſt of his Friends, he buckled himſelf to his March toward *Beneventum*, the Seat of the Dukedom, a City of *Samnium*, to which was ſubject *Campania*, the *Salernitani*, with all *Calabria*. *Aragiſe* knowing himſelf ſurprized, and at beſt inferiour to the King in ſtrength, betook himſelf to craft and policy. He ſent to him *Rumold*, his eldeſt Son, with Gifts and good Words, to divert him from his purpoſe, but he was too tenacious of it to be ſo put off, and taking the Meſſenger along with him, marched to *Capua*, the chief City of *Campania*, which he beſieged. *Arigiſe* perceiving what muſt be the Iſſue, left *Beneventum*, and betook himſelf to *Silernum*, a Town both ſtronger, and ſtanding upon the Water; whence he ſent to him *Grimoald*, his other Son, to deprecate his Diſpleaſure, and promiſing him to obey him in all things he ſhould require, which good language and condeſcenſion ſo wrought upon him, that retaining *Grimoald*, as an Hoſtage, he ſent his elder Brother home to his Father, with ſome Noblemen of the French Army, who were to receive the Oaths and Hoſtages of the ſeveral Cities, which being done, he drew off his Army, and returned to *Rome*, where he kept his *Eaſter*.

He makes another Voyage into *Italy*.

51. Having diſpatcht his Affairs thus in *Italy*, though all was clear on that Coaſt, when he came out of *Gall*, yet now another ſtorm was gathering in *Bavaria*, where *Taſſilo* the Duke plaid faſt and looſe, being merely by fear and awe kept from openly violating that Agreement he had formerly made with *Pipin* and his Poſterity, and ever and anon ready to renounce obedience, when he perceived there was any probability, either by reaſon of his own Advantages, or the Incumbrances of *Charles*, to ſucceed in his Deſigns. But hearing now that the *Lombards* were abſolutely reduced, and that his Kinſman would be at leiſure to call him to an Account, he ſent his Ambaſſadours to *Rome*, where *Charles* ſtill reſided, to deſire of the Biſhop, that he would beget a perfect underſtanding betwixt them. The Biſhop was very ready to become Authour of ſo good a work, and *Charles* was not ſo averſe, but that he eaſily brought him to cloſe with the Offer, ſo that there wanted

He invades *Bavaria*.

ted nothing but to ſign the League, and confirm the Agreement. But the Ambaſſadours being demanded what Power they had to conclude or ratifie the Treaty, denied that their Inſtructions or Commiſſion extended any farther than merely to underſtand the Pleaſure of the King and Biſhop, and return their Anſwers to their Maſter. *Adrian* hereat conceived great Indignation, as fooled by a trifling Meſſage, and ſent them away with Threats of Eccleſiaſtical Cenſures, in caſe *Taſſilo* ſtood not firm to the former obligations he had made to the Houſe of *Pipin*. *Charles* thought it beſt not to be long after the Meſſenger, and taking his leave of the Biſhop, departed to *Wormes*. Here finding his Wife and Family, he called an Aſſembly of the Eſtates, wherein the whole matter relating to his late Exploits in *Italy*, and the buſineſs of *Taſſilo* was reported, and foraſmuch as it was reported and feared, that this *Bavarian* Duke would call in the *Hunnes* to his aſſiſtence, it was unanimouſly reſolved to raiſe a very conſiderable Army, wherewith *Bavaria* in three ſeveral places ſhould be invaded. Sect. 4.

52. On one ſide *Pipin*, the Son of *Charles*, with his *Italian* Forces, was ordered to march over the *Rhetian Alpes*, and invade the Countrey from the South. From the North the Oriental *Franks* and *Saxons* were to give the Onſet; and the King himſelf, with the third Party, reſolved to fall on where the River *Leccus* divided the *Bavarians* from the *Alemans*, at the City *Auguſta*, ſo that *Taſſilo* ſhould have no way to eſcape, except he took that of the Eaſt, toward the Territories of the *Hunnes*, which if he did, then would the *Franks* enter, and ſeize upon his Dominions. *Taſſilo* found himſelf ſo intangled, that he laid off thoughts of invading *France*, wherewith, at the Inſtigation of his Wife, and the Promiſes of the *Hunnes*, he had flattered himſelf, and caſt himſelf at the Feet of *Charles*, begging Pardon for his paſt Errours, and renewing his uſual Proteſtations. The King for this time yielded to his importunity, and receiving his Son *Theodo*, with twelve others, for Hoſtages, returned into *France*, and wintred in a place near to *Mentz*, called *Ingilinheim*. Here in the Spring following he held an Aſſembly of the Eſtates, whereat all his Subjects and Vaſſals were commanded to be preſent, and *Taſſilo*, the Duke of *Bavaria*, amongſt the reſt. He made his appearance; but his own Subjects afraid, it ſeems, of the War which threatned their Countrey with devaſtation, in caſe he ſhould revolt, laid heavy Crimes to his Charge, as that ſince his laſt ſwearing Obedience, at the importunity of his Wife *Liutberga*, the Daughter of *Deſiderius*, he had tampered afreſh with the *Hunnes*, to procure a ſtrong alliance with them, in order to a Rebellion, with other things and words, which were ſo aggravated, that he was, as a Traitour, condemned to Death, he not being able to deny what was objected. But the Clemency of the King procured a mitigation of his puniſhment, for that Head which was to be cut off, was covered onely with a Monk's Hood, and *Theodo*, his Son, was ſhaven alſo, and for company ſhut up with him in the Monaſtery, thoſe *Bavarians* that had been of the Conſpiracy being baniſhed into ſeveral places. The *Hunnes*, as they had promiſed, raiſed two Armies, whereof with one they invaded the Marches of *Forum Julii*, and with the other made an Inrode into *Bavaria*, but in both places were worſted, and driven back with great loſs of Men. This loſs inraged them, and to be revenged, with more numerous Forces they again invade *Bavaria*, but the Inhabitants receive them with ſuch Conduct and Reſolution, that having put to the Sword an innumerable Company of them, many of the reſt, for fear, took the River *Danubius*, and thinking to ſwim ſafe to land, are overwhelmed with the flouds.

And ſhaves the Duke and his Son.

53. *Charles* having fully reduced *Bavaria*, put the Government into another poſture. He made no one Duke over the whole, leſt he ſhould commit too much Power into the Hands of one Man, but many Counts or Governours, that their number might render them weaker, and more contemptible. His Hands being now again idle, he muſt ſome other way employ, and rather than want work, he will travell to ſeek it as far as the very *Baltick* Ocean: There where it paſſes by *Germany*, in the Territories now belonging to *Pomerania*, *Mecleburg* and *Holſatia*, lived a Nation of the *Hunnes*, fierce and barbarous, in their own Language called *Welatabi*, and in the French *Wiltzi*, or *Vultzi*, always adverſe to the Intereſt of the *Franks*, if we believe their Authours, and infeſting ever and anon their beſt Friends and Confederates, particularly the *Abroditæ*. The King not able any longer to indure their Inſolence, reſolved to make them feel the Effects of his Diſpleaſure, and gathering a vaſt Army together, paſſed the *Rhine* about *Coloine*, whence travelling through *Saxony*, he came to the *Elbe*, and pitching his Camp upon the River, over it he laid two Bridges, whereof one on both ſides he fortified, and thereon

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He subdues the *Vulrsi*.

thereon placed a Garrison. Then marching forwards, at length he entred the Enemies Countrey, which he wasted with Fire and Sword, till such time as the Inhabitants being terrified with his Name, and his manner of proceeding, began to consult how to appease him, and laying their Heads together, the *Reguli*, Nobility and Senate, though they were a Nation Stout and Warlike, gave up themselves into his hands, promising all Fidelity and Allegiance from which they never in the least departed. This Conquest so happily performed, he returned back the same way he came, and in *Wormes* kept both his *Christmas* and the *Easter* following. And that year, which was a wonder, he made no expedition at all, but residing in that City, gave Audience to the Ambassadours that came from the *Hunnes*, and sent some of his own to them; a great Controversie having arisen about the Borders of their Dominions, which became the Original of such Heats and Malice as could not be ended but by a War. Farther, to busie and divert himself, he passed up the River *Menus*, to his Palace of *Saltz* in *Germany*, built upon the River *Sala*, and down again he Rowed to *Wormes*, where Wintering, his House wherein he lived accidentally was set on Fire in the Night and Burnt. Yet he still continued in the place, and as magnificently as ever solemnized the Feast of *Christmas* and *Easter*.

54. These *Hunnes* we lately spoke of, were part of the Posterity of those who in the Reign of *Honorius* powered themselves into *Europe*, and being a most direfull Plague to the Inhabitants thereof, had seized on both the *Pannonia Superior* toward the West, where are now the Provinces of *Carniola*, *Carinthia* and the greater part of *Austria*; and the *Inferior* also toward the South, which at this day contains *Bosnia*, *Sclavonia* and that part of *Hungary* lying towards *Ister* or the *Danube*, so named from those People which were called both *Hunnes* and *Avares*, and as we are told from both words joyned together, known by the name of *Hungari* or *Hungarians*. So long as *Bavaria* continued a Dukedom of it self, there was no occasion of quarrel minister betwixt these *Hunnes* and the *Franks*, but this Countrey being fully subdued, and laid to the rest of their Dominions, *Charles* and they began to quarrel about the limits of their Territories. The quarrel arose to that

Picks a Quarrel with the *Hunnes*.

height, that *Charles* disdaining to receive the least disadvantage, and elevated by the constant success he had had over their Neighbours, from so small a beginning, raised a most tedious and grievous War, which continued full eight years, and then was completed with the Destruction almost of the whole Nation. Making Levies throughout all his Dominions, he divided his Forces into two Parties according to his Custome, to distract and amuse the Enemy the more, whereof the one he committed to the Conduct of *Theodorick* a Count, and *Magnafrid* his Chamberlain, *Alias Magnifid.* with Orders to invade the Countrey at the Northern Bank of the *Danube*; he himself led the other, resolving to make an Invasion on the Southern part by the way of *Bavaria*, the Inhabitants whereof he Commanded to convey Provisions for the Army down the River.

55. Thus appointed he began his March, and made his first incamping upon the River *Arisus*, which separated *Bavaria* from the Territories of the *Hunnes*, and there he spent three days in Prayers and Supplications to Almighty God, for a blessing upon his Expedition. Then invading the Countrey, he wasted all with Fire and

Wasting this Countrey with Fire and Sword.

Sword, the Enemy not daring to give him Battel, but securing himself in his Forts, whereof two were very considerable; one upon the River *Cambus* wherewith it was exceedingly Fortified, and another near the City *Comageni*, upon a Mountain called *Cameoberg* most difficult of Access. But the Resolution of *Charles*, and the Valour of his Souldiers Conquered both those places, and he went on destroying all things as far as the River *Arrabo*, over which passing his Men, he came to the *Alias Rabus.* confluence of it and the River *Danubius*, where he made some stay, purposing to return by the Countrey of *Gabaria*. To *Theodorick* and *Magnifrid* he sent Orders to Retreat by the way of the *Begamini* as they came, and then having laid waste a *Alias Beamiti.* great part of *Pannonia*, he returned into *Bavaria* without any loss or disadvantage in all this expedition, except in Horses, amongst which raged so great a Contagion, that scarcely the tenth part remained alive of so many thousands. Having dismissed his Souldiers, he himself saith *Aimoinus* came to the City *Regimini* which now is *Alias Reginum.* called *Reganesburg*, where he resolved to Winter, and there to celebrate the Festi- *Ravensburg.* vals both of our Lord's Nativity and his Resurrection.

56. While here he yet resided, Consulting how with best success he might farther prosecute the War with the *Hunnes*, he was in danger of his Life at home by a Conspiracy. He had a Bastard Son named *Pipin*, one of a beautifull Face, but Hutch-back'd, and as deformed it seems in his mind as in his Body, for several great Men

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Another Conspiracy.

Men wearied with the cruel demeanour of *Fastrade* the Queen, consulted with him how to prevent her practices by her Husband's Death, and by sending the Father into another World, to make way for his Son's advancement in this. He being either an Authour or the pretext of this Conspiracy, they expect a convenient season to execute their Designs, when the whole Plot and Contrivance is discovered to the King by one *Fardulf* a *Lombard*, and they as Guilty of High Treason were some of them Beheaded, and others Hanged, *Pipin* being shut up in the Monastery of *Prumium*, and *Fardulf* rewarded with that of St. *Denis*. This Conspiracy thus happily blown over, he caused a Bridge to be laid over the *Danube*, continuing still in *Bavaria* and intent upon the War with the *Hunnes*, for which he resolved in the same place to spend the second Winter. When he began to prepare for another Expedition, News was brought that the Forces under the Command of *Theodorick*, in their return through *Frisia*, in a Village called *Hiruftri* near the River *Wisara* were intercepted and destroyed. This caused him to put off his Journey into *Pannonia*, though to keep up his Reputation he dissembled the greatness of the Loss.

57. But lest he and his Men should be idle, he gave ear to the Project of some about him, who pretended they had found out a rare Expedient for the inriching of *Germany*, and the Neighbouring parts of *Europe*, by promoting Commerce betwixt the several Countries. Of the *Rhine* and the *Danube*, the two greatest Rivers of those parts of the World, the one falls into the *German* Ocean, and the other runs Eastward into the *Euxine* Sea. Betwixt these lay two more inconsiderable, in the

His endeavours to promote Navigation.

days of *Aimoinus* or the Authour of that History called *Radantia* and *Alomora*, *Alias Ardantia & Alemo.* whereof the one mingles its Waves with the *Danube*, and the other empties it self into the *Rhine*. Betwixt these two they advised a Ditch three hundred foot broad should be cut, such as would receive large Vessels, and accordingly the whole Autumn many men were employed, who digged such a Ditch three hundred foot in breadth, and in length two Miles. But all this was lost Labour, it being hard for Mortals to alter that course of Nature, which God Almighty has appointed to sublunary things. What they digged on the Day, was by Night filled up again, partly by Earth the Ground being Fenny and loose, and partly by Water, great Rains as is usual at that time of the year falling in those Parts, lying so near to the *German* Ocean. While he thus made himself work in this part of *Germany*, he had o-

The *Saxons* revolt.

ther work made to his hands elsewhere by the *Saxons*, who universally Revolted, and the *Saracens* who having entred *Septimania* defeated in Battel such Counts and others as opposed themselves in defence of the Countrey, and having put many of the *Franks* to the Sword, returned Victoriously to their own Homes.

58. In the beginning of the following Summer another Accident happened, which however he took it to his Subjects seemed not unluckily, and that was the Death of his Wife *Fastrade*, who was Buried at *Mentz*, in the Church of St. *Alban*. Having taken care for her Funeral, and held an Assembly of the Estates, he divided his Forces into two, and resolved to renew his ancient Hostility with the *Saxons*, giving order to his Son *Charles* to pass the *Rhine* at *Coloin*, and with one half to invade the Countrey on the West, while he himself by the way of the South, with the rest of the Army should attaque them. This being done, although the *Saxons* had pitched their Camp in the place called *Smetfeld*, and there in appearance expected his coming as ready to give him Battel; yet the matter was so carried, that despairing of that Succors which they had lately promised to themselves, they cast away both their Arms and Courage, and as unanimously begged pardon, as they had committed the Offence, and without fighting a Stroke, both

But are reduced to Obedience.

gave up their Hostages, and according to their old Trade took the Oath of Fidelity. This being over, the King returned into *France* and Winted at *Aix*, and in Spring following not being unmindfull of the perfidious humour of the *Saxons*, held another General and solemn Assembly of his Estates, beyond the *Rhine* in a Village called *Castellin* not far from *Mentz*, and thence with an Army re-entred and wasted almost all *Saxony*, and coming to a Village called *Bardengum*, he encamped near the place called *Bardenwick*, and there expected the coming of the *Sclavi* whom he had sent for.

Bardenwick.

Bardenbunck.

59. In the mean time News was brought him that *Witin* the King of the *Abrecite* as he was passing the River *Albe*, was intrapped and laid by the *Saxons*, which fact farther inraged and provoked him to be revenged on this perfidious Nation. All that he could doe was again to waste their Countrey, and receive more Hostages, of which doubtless having so often broken their faith, they were not at all

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all sparing; while he was about this work, one *Tudun* a man of chiefest Rank amongst the *Hunnes* came Ambassadour to him out of *Pannonia*, and willingly offered himself to receive Baptism, and to be instructed in the Christian Religion. Into so good an humour this Barbarian was frighted, by the success which the Arms of *Charles* though not present in Person, had lately had in that Countrey. For

He beats the *Hunnes*.

Henry Duke of Forum Julii being sent thither had made very great spoil, and in particular taken and rifled the Royal Palace of the *Hunnes* called *Rhing*, whence he brought to the King a very great Treasure, a great part whereof he was ordered to carry as a present to the See of *Rome*, or as they phrase it to St. *Peter*, and the rest was liberally distributed amongst the great Officers and Courtiers, having been the flower as it were of that vast Wealth which this vagrant and thieving People had pilfred out of *Asia* and *Europe*. *Pipin* also his Son he had sent into *Pannonia*, with Forces raised both in *Italy* and *Bavaria*, wherewith he beat the *Hunnes*, and drove them beyond the River *Tiza*, which done at his ease and pleasure, he wasted and spoiled their Territories, and what was left untoucht and rejected by *Henry*, all in a manner fell as booty into his Hands, with the Palace *Rhing* which he totally destroyed: *Eginhart* to this Relation of *Aimoinus* adds, that the *Franks* hither-

Eorúmque Regia quæ ab eis dicta est Rhingus à Langobardis autem Campus vocatur, ex tunc destructa Aiminus, lib. 4. c. 86. Le païs conquis bien avant jusques aux confins de Drave & Dannbe fuit appelle Ostrich Ost à dire en Thiois Royaume Oriental, ayant esgarde Banieres & partie duquel regardant l'Occident & la Rivere de Lech l'apelle encores Austriche. Fauchet, Aimoinus, c. 87.

And returns loaden with rich Booty.

to poor, as possessing nothing but their Arms and the fruits of their Grounds, from this plunder became very Wealthy, and *France* full of Gold and other things of value and wonder to them. *Pipin* presented it to his Father, who was then returned victoriously out of *Saxony* to *Aix*, where *Tudun* and all that came with him were Baptised though to no purpose on his part as afterward appeared.

60. About this time, as if all things and places conspired together to render *Charles* Fortunate and Victorious, the City *Barcinona* situate on the confines of *Spain*, having been sometimes in the hands of the *Franks*, and otherwhiles of the *Saxons*, was restored to him by *Zatis* one of that Nation, who had lately got it into his hands. This incouraged him to send *Lodovick* his Son to lay Siege to *Osca*, he himself having no patience till he was again in *Saxony*, which he wasted through-

Saxony again wasted by *Charles*.

out as far as the utmost limits of it, where it lay bounded by the Ocean betwixt the two Rivers *Elbe* and *Wesere*. Thence returning to *Aix*, he gave audience to *Abdella* the Son of King *Abimenanga* who was come to him out of *Mauritania*, and to *Teocistus* sent from *Nicotes* the Governour of *Sicily* with Letters from the Emperour dated at *Constantinople*. But such was his propension toward the punishment of the *Saxons*, that in their Countrey he resolved to Winter, and passing thither, sate down by the River *Wesere*, in a place which he would have called *Heristall*, and our Authour tells us was so called to his very time. Having distributed his Army into their Winter Quarters, he sent for his two Sons *Pipin* and *Lodovick*, whereof the one was returned from his *Italian*, and the other from his *Spanish* Expedition, and entertained the Ambassadours of the *Hunnes*, sent to him with great presents. The like he did to the Ambassadours of *Adefonsus* King of *Austria* and *Gallicia*, who neither came empty handed, and then remitted *Pipin* into *Italy*, and *Lodovick* into *Aquitain*, with whom he sent *Abdella* to be conveyed into *Spain* on his way homeward.

Al. Asturia.

61. *Charles* passed all this Winter in *Saxony*, to the great terrour of the Inhabitants, as very well might be imagined. But that this was not common to all those that inhabited beyond the *Elbe*, sufficiently appeared in this, that ere the season came, that there was Grass enough for the Army to take the Field, they fell upon certain of his followers, whom he had sent to doe Justice amongst them, and preserving a few for Ransome killed the rest, and with them *Godescalcus* who was in his way returning from his Embassy to *Sigefrid* King of the *Danes*. Enraged hereat, above all measure, he mustered his forces, and whatever lay betwixt the *Elbe* and the *Wesere*, he destroyed with Fire and Sword. But those that lived beyond the *Elbe*, elevated with the cowardly attempt they had made upon the Persons lately mentioned, for which as yet they could not be called to account, went about to make War upon the *Abodritæ*, who ever after their first conjunction had continued faithfull to the *Franks*. But the prudence and expedition of *Theso* the Captain of the *Abodritæ* prevented them, who having timely notice of their motion met, and gave them Battel in the place called *Suentana*, where he made great slaughter, and forced those that escaped with their Lives to run for them, with all the haste they could make to their own homes. *Charles* returning to *Aix* received

The *Saxons* fall upon the *Abodritæ* but are beaten by the assistence of the *Franks*.

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ved the Ambassadours of *Irene* the Empress, who having put out the Eyes of her Son, had reassumed the Government, and at their regret released *Sisinnius*, the Brother of *Tarasius* the Patriarch of *Constantinople*, who had been taken Prisoner in Battel. They were scarcely dispatched, when others arrived out of *Spain* from *Hadefonsus*, with a small part of the spoil he had lately taken at his Conquest of the City *Olyssepona*; these were seven *Moors* with so many Mules and Corslets, being as one observes rather marks of Victory than any considerable Present. But the bringers he kindly received, and sent back with rewards. Now were the Islands *Baleares* afterward called *Majorica* and *Minorica*, overrun and wasted by *Mooriss* Pirates. *Charles* spent this Winter at *Aix*, and there celebrated the two usual Festivals,

Lisbon.

62. The Spring following, when he was again preparing for a fresh Expedition into *Saxony*, he was a little diverted by displeasing News brought him from *Rome*. There *Leo* the Bishop had been most inhumanely treated by the Kindred of his Predecessours, and after much Cruelty and Malaie shewed upon his Body, was clapt up close Prisoner in a Monastery, but thence making an escape over the Walls, was kindly received by *Winigisus* the Duke of *Spoletum*. The King hearing the News, with great sorrow and indignation took care that he should be Honourably brought to his presence, yet resolved not to put off the War, which he intended once more against the *Saxons*. Removing then to the *Rhine*, there in the place called *Lippia*, he held the usual assembly of the Estates, and expected the coming of the *Roman* Bishop, sending in the mean time his Son *Charles* with part of the Army to the *Elbe*, to dispose of some matters relating to the *Wiltzi* and *Abodriti*, and to receive some *Saxons* of those called the *Nordluidi*. Not long after his departure the Bishop came, and after a kind entertainment for certain days, he sent him back to *Rome* with certain of his own men, who restored him to his See. He being dismissed, he gave audience to a Messenger sent from *Michael* the Patritian from *Sicily*, and presently after received the unwelcome news of the defeat and Death of two of his Captains, whereof one * *Geroldus* by name, being a Governour in *Bavaria* was slain in Battel against the *Hunnes*, and the other called *Erick* or *Henry* famous for his many Victories, was by the Inhabitants of *Tarsus* or *Tarsa* a City of *Liburnia* circumvented and cut off. † But for this bad news, recompence was made him as soon as he returned to *Aix* where he Wintred. For *Widdo* or *Guido* a Count and Prefect of the *British* Coast, || having with others his fellow Counts and Captains overrun *Britany*, brought him the Arms of the great men he had subdued on which their Names were ingraven. Other Trophies were presented him from those that had restrained and punished the Moorish Rovers, about *Majorica*; and *Azan* the *Saracen* Governour of *Osca* sent him the Keys of the City with other gifts, and a promise to deliver it up into his hands if opportunity should serve.

Another expedition into *Saxony*.

* *Gerold Duc de Bavieres frere de Hilderle Duc de Suane & de Hildegarde premiere femme de Charles prin mignon du Roy, Fauchet.*

† *Henry Duc de Frioul tué pres Transfisca une ville de Liburnie (C'est de Friol) Fauchet, at Aimoinus habet apud Tarsaticam Liburniæ civitatem, lib. 4. c. 89.*

|| *Guy Comte de la Marche, ou Marquis de Bretaigne.*

63. As soon as Spring appeared toward the middle of *March*, *Charles* left *Aix* and visiting the Coasts of the *Gallick* Ocean, appointed a Fleet to be prepared for scouring those Seas of the *Nordman* Pirates, who had now begun to be very troublesome, and placed Garrisons where he saw convenient. His *Easter* he kept at *Centulum* belonging to St. *Richarius*, whence he Coasted again by the Sea side, and so turned off to *Rouen*, where crossing the River *Seine*, he travelled to *Tours* to doe his Devotions in the Church of St. *Martin*. Here he was confined for certain days by reason of the sickness of his Wife *Liutgarda*, which Lady here died on the fourth of *June*, and was Buried in St. *Martin's* Church. Thence by *Orleance* and *Paris* he returned to *Aix*, and at the beginning of *August*, held a General Assembly at

De puis Brest ban jusques en Bretagne, dit Fauchet.

Centulum Canobium Sancti Richarii in Picardia. Sic natur in Aminum. Fauchet sic, Centulo, lieu proche de St. Richer appartenant a Englibert fin gendre benagne c'est adire du Roy Charles.

Charles goes for *Italy*.

Mentz, wherein he declared he would take another Journey into *Italy*. Accordingly with an Army at his back he came to *Ravenna*, where he made no stay but for seven days, sending his Son *Pipin* with the Army into the Countrey of *Beneventum* whom he accompanied as far as *Ancona*, and then took the way for *Rome*. But in his way into *Italy* we are told by some that he took *Liburnia* or *Frioul*, where he punished the Inhabitants of *Tarsatica*, for the Murther of *Henry* their Duke, and put one *Codelac* into his place. And indeed the insolence committed by them upon that man, together with the Rebellion of *Grimoald* the Duke of *Beneventum*, and the outrage against *Leo* the Bishop, whatever else he designed seem sufficient motives for his return into this Countrey. For they were evident signs of the stirring

Thence to *Rome*.

Sect. 4.

if not the growth of the Party contrary to his Interest, and seemed to threaten the Authority of a Prince, whose absence incouraged a People as yet not fully setled to a Revolt.

Where he is magnificently received by Pope *Leo*.

64. The day before he arrived at *Rome*, twelve miles off at *Nomentum* Pope *Leo* met him, and having Supped with him that Night, returned to the City to be ready for his solemn reception the next day. He rode on Horseback to the Stairs of St. *Peter's* where *Leo* with all his Bishops and Clergy received him, and with solemn procession conducted him into the Church of that Apostle. After seven days he called the People together, and laid open to them the cause of his coming, the Principal whereof was, as he said, to make Inquisition about those Crimes which were laid to the Charge of their Bishop. But no Accuser appearing, *Leo* with the Gospel in his hand went up into the Pulpit, and there in presence of all the People purged himself by Oath of the things objected. On *Christmas*-day, the King being come to St. *Peter's* Church to hear Divine Service, as he kneeled before the Altar, *Leo* set a Crown on his Head, and all the People Acclamed to *Charles Augustus, Crowned of God the mighty and peaceable Emperour of the Romans; Life and Victory*, which Acclamations over, he was according to the Custome of the ancient Princes adored by the Bishop, and leaving off the name of Patritian, was saluted *Emperour and Augustus*. So was the Title of Emperour revived again at *Rome*, from what Inducements, how legally, and in what manner we shall consider more properly and fully in the History of that Countrey. Here we see the *Franks* advanced above all the rest of the Western Nations, and a King but of the second Head raised prodigiously to so sublime a pitch of Grandeur, how and by what Degrees both Nation and Family arrived at this height, we have as fully discovered as the nature of this Work will bear. Here we must leave *Charles* upon his Imperial Throne, but e'er we take our leave for altogether, we are obliged to return to his Cradle and take some notice of the Tongue he first spake, with other things belonging to the most ancient State and Customes and Polity of this considerable Nation, which in the precedent History could not but too abruptly and confusedly be performed.

And Crowned Emperour.

65. To begin with their Language, as the great both Effect and Sign of their Original on which we have already so largely insisted, it's certain it was the *Sicambrian* or *Teutonick Dialect* at their first coming into *Gall*, and so even to the time of *Charles* it continued. There were other Languages indeed spoken in the Countrey where they inhabited, one whereof at length partly swallowed up, partly expelled theirs, but this could not be but by degrees, and in many years use and conversation, so that though many words were stoln in upon both, and those that were Learned or Nobly Educated, spake as well the one as the other, yet for the Rule or substance, the *German* or *Teutonick* still continued in ordinary use and practice. Nay, it was the Language of the Court, as appears from what we are told concerning *Charles* the Great himself. *Eginhart* an Authour beyond all exception testifies, that he gave Names to the Months according to his own Language; the *Franks* before that time having known them partly by Latine, and partly by Barbarous words. To the twelve Winds also he gave Proper Names, whereas formerly scarce four words were in use to express them. Of the Months *January* he called *Vuilhermonat*, *February Hornung*, *March* he named *Lentzmonet*, *April Ostermonet*, *May Wunnemonet*, *June Brachmonet*, *July Heumonet*, *August Aermmonet*, *September Herbstmonet*, *October Wuynmonet*, *November Vuindumonet*, and *December Heiligmonet*. On the Winds he imposed the Names following; on that by the *Romans* called *Subsolanus Ostrenwindt*, on *Eurus Ostsunderen*, *Euroauster Sundostren*, *Auster Sundren*, *Austroafricus Sundwestren*, *Africus Westsundren*, *Zephyrus Westren*, *Corus Westnorden*, *Circius Nordunestren*, *Septentrio Nordren*, *Aquilo Nordostren*, *Vulturnus Ostnorden*. He adds that, certain Baracons and most ancient Verses whereby were Sung, the Acts and Warlike Exploits of ancient Kings he wrote down and committed to Memory, and farther began a Grammar of his Mother Tongue. If any one desire farther satisfaction in this particular, and see what the very Language was, he may know that *Orfrid* a Monk of *Wassenbury* in this Language of the *Franks* Translated the New Testament into Verse or Rythme, some of which together with the Lord's Prayer are to be seen in several Authours, particularly in *Pontanus his Origines Francicæ*, with Verses in Commendation of the Nation of the *Franks*. He may also there see part of *Tatianus* his Harmony

The *Sicambrian* or *Teutonick* Dialect was their Language.

The Names of the Months.

Of the Winds.

Mensibus juxta patriam Linguam nomina imposuit quum ante id tempus, &c.

Hæc confer cum iis quæ scribimus de lingua Saxonica veteri.

* *Nu vuil ih Scriban Unser heil Evangelium deil.*
So Onir nu biar biginnun,
In Fren Risca tungen.
Præf. in Evangel.

So will I write (the *Dutch* say yet Scriven) our health (for which the word Salvation is lately crept in) of the Evangel the deal (for which is crept inpart.)

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So we now here begin,

In the *French* Tongue.

* *Typis Plantinianis editum Extat Opera Pauli Merula.*

Stand up the Friend mine Speedily
My Dove my fair and come.

Friundinne Saxanick Amica
Schone bodie utuntur
Verstegan Belge
pro pulchro
Inde nostrum Sheen.

mony of the four Gospels Translated into this *French* Tongue, which continued thus *German* or *Teutonick*, at least till the Ruine of the Family of *Charles* the Great. This is evident from *Willeramus* Abbat of *Mersburg* his * Translation of the *Canticles*, out of Latine into this old *French*, in the time of *Henry* the third Emperour, about the year of our Lord 1010, one of the Chapters whereof he begins thus; *Stand uph Friundinna min ilego. Min duna Min scona aud Kim.* Such like Language is all the rest, and hereby it may be seen as one of our Modern Writers observes, that the old *French* and the old *English*, had then as great Affinity together as our Northern and Southern *English* have at this day. Now none will deny that our old *English* or ancient *English Saxon* was *German* or *Teutonick*.

66. Such therefore was the true and ancient *French*, a *German* or *Teutonick* Dialect, before it was corrupt, mixed and at last abolished by another Speech, which overpowred it by the multitude of Speakers. For in conquests of Countries this rule is to be observed in point of Languages, that where the Invaders in Numbers prevailed, either in a small space of time pushing in multitudes upon a weaker Nation, or in a long continuance of time perpetually supplying their first Planters, there though they mixed with the People Conquered, their Language followed the Fortune of their Arms, and at length, getting Ground every day, became Victorious, but where a far lesser invaded the greater, and the Courage or good Fortune of a few prevailed over a Cowardly effeminate or unfortunate Multitude, there the success was not the same, for as the Vulgar is Master of Language, which is founded upon Use and Custome, more Voices or Words carried it, and the Tongue had better fortune than the Hand, as far greater Sounds or Noises do drown the lesser. The former part is sufficiently evidenced in the *Roman* Conquests, especially in the Western parts, as also in the Invasion of the *Saxons* made into this Island of *Britain*. The later part not onely in the matter of the *Franks*, who Conquered a People much more vast in Numbers than themselves, but in the case of the *Goths* in *Spain*, and *Lombards* in *Italy*, where the Languages prevailing in the Countries, at last got Ground, and prevailed over those they brought in with them, and not to stir far from home, we see the truth hereof abundantly manifested in the case of the *Normans* who coming into *France*, and bringing in with them a Northern or *Teutonick* Language of their own, first made Shipwreck of that there as the *Franks* had formerly done, and then having got instead of that the *Romantick or Bastard Latine* now called *French*, when they Conquered here the *English Saxons* lost that also, and returned to their ancient *Teutonick*, (though altered by their Invasion,) and this they did notwithstanding all Arts imaginable used by them for abolishing the *English*, and propagating that other amongst a People to which their Posterity in this point was constrained at last to yield their Tongues, though not their unjustly got Possessions.

67. The *Franks* therefore by mixing and imbodying with a far more numerous People, lost their Language, what then the speech spoken by the Natives at this time was we must enquire. The Language of such of them as were Originally *Galls*, was the first that was spoken (as far as man can know) in this Countrey, being that which was in use when *Cæsar* invaded them, *viz.* the *Celtick* or the *Gallick*, which though it might receive an insensible impression and alteration from the Touching of the *Phœnicians* upon the Sea Coasts, the planting of some Greek Colonies also on the Maritime Parts, the Neighbourhood of the *Spaniards* and *Germans*, and the recourse made by the *Italians* to the Medicinal Waters in *Aquitain*, yet till his time in the Body of the Land continued pure and uncorrupted. What this Language was is the great question much debated by certain Learned men, and that in two respects especially, *viz.* Whether it was the same Originally with our ancient *British*, or the *Welsh* Tongue, or whether it was the self same in substance with the *Teutonick* or ancient *German* Language, differing onely from it in Dialect, in some variety of phrases and terminations of words. For the first, that the Language of the old *Galls* was all one with the *British*, unless perhaps in variety of Dialect, *Cæsar* himself sheweth, where he writes that it was the custome of the *Galls* who desired farther knowledge or instruction in the Learning, or Discipline of the *Druides* to go over to them into *Britain*. Now forasmuch as they had no use of Books, the *Druides* in teaching must have used the same Language the *Galls* did, which *Tacitus* farther confirmeth, alledging that the *British* Speech, and that

The *Gallick* and *British* Language compared.

Sect. 4. of the *Galls* differed not much. But seeing the Language it self is lost, some scattered words onely remaining as the broken Boards of a Shipwreck, by comparing those words with the present *Welsh*, our Learned *Camden* evinceth this truth, and that not by any wrestling or straining but very easily, and without violence he proves them to agree to our *British* both in sound and sense.

68. To give the Reader a shorter account of what he makes out more at large, that *Divona* a Fountain at *Bourdeaux* of which *Ausonius* Writes, that in the *Gallick* Tongue it signified God's Fountain, the *Britains* would have called by the same Name, for God to them is *Dyw*, and a Fountain *Vonan*, in the Latine *Divona*, by Analogy and for Verse sake. *Jupiter Tonans* or the *Thunder*, by the *Galls*, as many witnesses, was worshipped by the Name of *Taranis*, and *Taran* with the *Britains* betokneth *Thunder*. The *Galls* had another God called *Hesus*, *Heus* or *Anubis* painted like a Dog, and *Huad* with our *Welshmen* signifieth a Dog. Certain it is that the *Galls* worshipped *Mercury* under the Name of *Teutates*, as the Inventer of *Arts*, and guide of their *Journeys*. And *Diw Taith* in the *British* Tongue, is as much as the *God of Travelling*. The *Galls* as *Polybius* informs us in their own Language called their *Mercenary Souldiers Gæsatæ*, and at this day the *Welsh Britains* call their *hired Servants Guessin*. As *Phalanx* was the *Macedonian Legion*, so was *Caterva* peculiar to the *Galls*, as may be seen in *Vegetius*. Neither is this word Obsolete amongst the *Britains*, who yet use to call a Troop *Caturfa* and *Warkad*, and the strength of War which lieth in a Legion *Kaderne*. The *Galls* that marched with *Brennus* into *Greece*, named that order of Horse-fight, which consisted of three Horses, as *Pausanias* tells us *Trimarkasia* or *Trimarsia*, for an Horse they called *Marca*, which in that signification is mere and pure *British*. For *Tri* signifieth *Three*, and *March* an *Horse*.

Divona Celtarum lingua fons adiacens Divis.

De tribus illis Gallorum Diis sic Lucanus:

Et quibus immitis placatur sanguine diro Teutates, horrensque feris altaribus Hesus, Et Taranis Scythicæ non mitior ara Dianæ.

69. The Name of *Circius* given to that *Windo*, to which *Augustus Cæsar* both vowed and built a Temple in *Gall*, *Phavorinus* the same Philosopher of that Nation, as we have it from *Gellius* declared to be *Gallick*, and he supposed it was so called from the *Whirling* or *Whistling* which it makes. This Wind indeed is known to be most Boisterous and Violent; and *Cyrch* with the *Britains* betokeneth Violence as may be seen in their Litany. The *Pennine Alpes* by *Cæsar* called the Highest, had that name imposed as *Livy* writeth, not from *Hannibal* the *Poenus* or *Carthaginian*, but from the *Highest Top* which the Mountaineers of *Gall* named *Penninus*. But *Pen* with the *Britains*, even in these days, signifieth the *Tops of Hills*, whence the highest Mountains they have, *viz. Penmon-maur*, *Pendle*, *Pen* and *Pennigent*, got their Names. Neither have the high Mountains *Appennini in Italy* theirs from any other Original. The Cities and States of *Gall* situate upon the Ocean, were as *Cæsar* notes after the custome of the *Galls* called *Aremoricæ*, and with them the *Welsh* accord in the very same thing, *Ar-more* being as much as *By the Sea*, or *Upon the Sea*. The ancient and excellent Scholiast upon *Juvenal* acquaints us, that the *Allobroges* were so called, because *Broga* in the *Gallish* Tongue signified a *Land* or *Territory*, and *Alla* another, as one would say *Translated out of another place*. But *Bro* in *British* is a *Region* or *Countrey*, and *Allan Without* or *Eternal*, so that the Etymology in both Tongues holds very well.

Eadem fossa Strabo eas Armoricas vocat.

70. *Pliny* tells us that there is an Herb like to *Plantane* in *Gall* called *Glastum*, wherewith the *Britains* Died or Coloured themselves as several Writers testifie, being that we term *Woad*, and giving a blew Colour, which the *Welsh* at this day call *Glasse*. This was the Greek *Isatis* and *Vitrum* by the Authority of *Oribasius*. The *Galatæ* who spake the same Language with the ancient *Galls* as St. *Hierome* witnesseth, had a little shrub called *Coccus*, of which that deep red Scarlet Colour was made, and this very Colour the *Britains* usually name *Coch*. If *Festus Pompeius* tell true, *Bardus* in the Tongue of the *Galls* signified a *Songster*, and this is a mere *British* word. And like as *Bard* is *British*, so the other part of *Bardocuculus* which as *Martial* and others teach us, was the *Cloak* that the *Gallish Bardi* wore, remains intire among the *Welsh*, who call such a Cloak by the very name of *Cucull*. The Herb which of its five Leaves the *Greeks* called *Pentaphyllon*, was as *Apuleius* sheweth by the *Galls* named *Pempedula*. Now *Pymp* in *British* is five, and *Deilen* a *Leaf*. And as the *Galls* by *Pymp* meant the Number of *five*, so by *Petor Four*, for as we learn out of *Festus Petoritum* was a *Chariot* or *Waggon* of theirs so called of its four Wheels, and the word *Pedwar* in the *British* Tongue signifieth *Four*. Among woodden Instruments a *Leaver* was among the *Galls* as *Isidore* writes called *Guoia*, and the same in our *British* Language named *Gwif*. A *Birds Bill* the *Galls* as we reade in *Suetonius* called *Becco*, and the *Britains* name it *Pic*, *Galba* signifieth

fieth *exceeding fat* and the *British* word *Galuns* betokneth *very big*. *Diodorus Siculus* his Drink called *Zithum*, might be reduced to their word *Sider*, and *Cervisia* unto *Keirch* or *Oates*, whereof the *Britains* in many places make their Drink or rather to *Cwrf* which we *English* term *Ale*. Sect. 4.

71. To omit many other words, we shall farther take notice of what he observes concerning the ancient names of Places, which end with both People in the same termination as in *Dunum*, *Briva*, *Ritum*, *Duram*, *Magus* and the like. From such he gathers that these were Originally the same Nation, in the same manner as a very good reason may be drawn that *English men* are descended from the *Germans*, because the later and more Modern names of our Towns end in *Burrow*, *Berry*, *Ham*, *Stead*, *Ford*, *Thorp* and *Wich*, which carry a just and equal Correspondence unto the Terminations of the *Dutch* Towns, *Burg*, *Berg*, *Heim*, *Stadt*, *Furdt*, *Dorp* and *Wic*. Farther he affirms, that the reason of old *Gallish* words may be so fitly given out of our *British* Tongue, the property and nature of the thing agreeing also thereunto, that of necessity we must confess, either they were Names imposed by the *Britains*; or else that the *Britains* spake the *Gallick* Language. Whence the *Galls* were called *Celtæ* and *Gallathæ*, the best learned of the *French* could never as yet tell. He bids them therefore consider whether not from the *British* word *Gualt* which even yet among the *Britains* betokeneth the Hair or Bush of the Head, as also *Gualtock* that signifies *Comata* or with *long Hair*. That the *Celtæ* were called *Comati* from the long Hair they studiously nourished all learned men do confess; and as for the letters *C* and *K*, *Q* and *G* how should one considering their force and Native sound put a difference between them? *Garonne* the River so rapid and violent, that the Poets give it the Epithetes of *Validus*, *Æquoreus* and *Rapidus*, he deriveth from *Gaw* which in the *British* Tongue importeth *strong*, and *swift*. The River *Arar* so gentle that it can scarcely be distinguished which way the stream goes, and by the Poets termed *Araris tardior* and *Lentus Arar*, he deduceth from *Ara* which with the *Britains* betokeneth *still* and *slow*. *Rhodanus* into which *Arar* falls on the contrary runs down with a violent Current, in which respect it is styled *Incitus*, *Celer* and *Præceps*, which words do not disagree from the *British Rhedeck* that signifie the *speediness in Running*.

72. The Hills *Gebennæ* run out into *Gall*, in the manner of a long continued Ridge. And *Keven* among our *Britains* soundeth as much as the *Back* or *Ridge of an Hill*, and there is a long Chain of Hills in *Yorkshire* which the Inhabitants call the *Kevin*. Stones being of old time erected in *Gall* by the Highways side, at the distance of every thousand and five hundred Paces, and the *Gallish Luca or League* containing just so many, he bids them consider whether it took not its name from *Leach*, which in the *British* Tongue betokeneth a *Stone*. That part of *Gallia Narbonensis*, where as the fabulous story goes *Hercules* and *Albion* fought, and where lie so many Stones that one would think it had rained them, the *French* in these days call *Les Craux*, knowing not the reason of the name, but Stones in *British* are termed *Craig*. The *Morivi* were so called from *Mor* the *Sea*. *Arles* or *Arelatum* seated in a moist and watery Soil, from *Aripon* and *Laith*, *Moysture* in the same Language. *Uxellodunum*, which as *Cæsar* writes was situate on an high Hill difficult of Access, from *Uchell*, *Steep*, or *Lofty*, and *Dunum* an *high place or hill*. The Promontory on which the City *Tolon* stands was called *Citharistes*, and if you ask our *Welsh Britains* what *Cithara* is in their Language, they will by and by tell you *Telen*. Such is the opinion, and so pregnant are the reasons of our famous *Camden*, wherein most learned Writers conspire with him as *Beatus Rhenanus*, *Gesner*, *Peter Daniel*, *Picardus* and many others. But some there are albeit in comparison of the other but few, who would have the ancient *Gallick* much the same with the *Teutonick* or *German* Language.

73. Of these the most remarkable is *Pontanus*, one who by reason of his Birth, speaking the *German* Tongue, had more cause to know the Roots and Originals of such words, and to understand the Etymologies than any either *French* or *English*, or other not fully acquainted with that Language. He denies not, but that the *Gallick* and *British* were the same, but yet contends the *Germans* were near akin to them both, and that for these Reasons. He cites a place of *Tacitus*, which relates, how the *Æstii* a People of *Germany* in their Rites and Habit, were more like the *Suevi* their Neighbours, but their Language was nearer that of the *Britains*. He alledges a saying of * St. *Jerome*, that the *Galatians* or *Gallogræcians*, except the Greek Tongue, which was spoken through all the East had a Language of their own, the same which the *Treviri* used, which could be no other than the *German*, they

The *Gallick* and *German* Language corrupted.

Dextro Suevici maris litore Æstiorum Gentes allauntur, quibus Ritus Habitusque Suevorum, lingua Britannicæ propior.

* *Comment. in Ep. Pauli ad Galatas.*

Sect. 4. they being of that Original. To this he adds Arguments, taken first from the Habit of *Galls* and *Germans*. Secondly, from the Names of men, Places, People, and words common to both; and Thirdly, from a promiscuous use of Words which he tells us, would make up an entire Dictionary. The first he proves from *Strabo*, *Lib. 4. & 7.* who more than in one place speaks how like the *Germans* and *Galls* were in their Manners, Customes and way of Conversation. For the second he observes, that *Cæsar* being to make Latine the proper Names of such *Galls* that ended in *Ch*, was something put to it, for that the Latine Speech very difficultly admits that final Termination. Such then as ended in *Rich*, he turned into *Rix*, as *Orgetorix*, *Dumnorix*, *Ambiorix* and others, for which the *Galls* themselves it's probable, were wont to pronounce *Ereutrich*, *Dumerich*, *Einberich*, or *Heimrich*. So in *Tacitus* we meet with *Malorix* Prince of the *Frisians*, but in *Ammianus*, *Malaricus* or *Malarick* a *Frank*. And *Deuderix* a *Sicamber* in *Strabo*.

74. *Livy* presents us with a certain *Regulus* of the *Galls* in *Asia* called *Lutarius*, *Livius, lib. 38.* which *Cæsar* changes into *Luterius*, and both are plainly *Teutonick*, not unlike *Cæsar belli Gallic. l. 7. & 8.* those of *Lotharius*, *Lotarius* and *Clotharius*. *Lutanicus* also in *Cæsar* is the same with *Ollonicus*, *Lodovicus* and *Chlodovicus*. The *Germans* had many Names ending in *Marus*, as *Othmarus*, *Wolmarus*, and *Thietmarus*; so amongst the *Galls* we find *Civismarus*, *Combolomarus*, *Indutiomarus*, *Virdumarus* and *Virdomarus*. As for People and Places, many we reade of amongst the *Galls*, like to which it cannot be denied, but several are found amongst the *Germans*, for as in *Gall* we find *Santones*, *Pictones*, *Turones*, *Suessones* and *Lingones*; so *Jubones*, *Semnones*, *Caviones*, *Jugenones* and the like in *Germany*. For the Names of Winds he saith, they are still common, both to the *Germans* of *Belgium*, to the *Britains*, and the *Galls*, whereof he renders this reason, that they alone continued sound and safe without any Alteration, because that the *Romans* making War against the *Galls*, rather by Land than Sea, this People preserved the Appellations of things belonging to the Sea and Navigation, as out of the reach of the Invaders. But now as to matter of Fact that they did keep them, and that the Names of these words still continue the same amongst the *Galls*, *Germans* and *Britains*, how doth it appear? He instanceth in that called *Occidentalis* in Latine, which the *English* naming *Westwint* (*Winde* he means) the low Countreymen term it *Westen*, and the *Galls* (*Galli* not *Franci*) *vent de Oveſt*. In like manner, that which the *Romans* knew by the Name of *Auster*, the *Germans* call *Suyden-Windt*, the *English Soutwindt*, and the *Galls Sud*. Moreover *Orientalis* as to the *Germans* is *Ooſten*, so to the *English* it's *East*, and *Eſt* to the *Galls* or *French*, which Dialect mightily agrees with the words of *Tacitus* lately mentioned, who calls them *Æſtii*, who in Language more resembled the *Britains*, agreeable also to their Speech, who inhabit nearer to the North-East. In Conclusion, that Wind known in Latine by the Name *Septentrionalis*, the *English* and all others, even *Charles* the Great himself called *Noort* and *Noorden*; but the *French* term it *vent de biſe*. Yet though herein they seem to depart from us, and imitate the word *Boreas* in use with *Romans*, yet have they but exchanged one *Teutonick* word for another. For *Bieſen* and *Biiſen*, to the low Countreymen is the same, as *to be toſſed up and down, and diſturbed*. The *Scarabeus* or *Beetle*, from the noise it makes with its Wings, and the violence of its flight they call *Biesbout*. And in the Translation of the Latine Psalter into the *German* Language, made about the time of *Ludovicus Pius*, *Biſa* is used to signifie *Turbo*, or *a Whirlewind*.

The *Gallick*, *German* and *British* Language agree, and are near akin, if not the same.

75. But the reasoning of *Pontanus* in this point is very Pleasant, though in other things he must be acknowledged, a very rational and learned Man. The thing to be proved from this Instance in the Winds, is that the *Britains*, *Germans* and *Galls*, still retain the same words they did of old, and therefore it's thence probable, their Languages were the same, not much different or near akin at the least. Now whereas by the *Britains* must be meant, the true *Britains* in the time of *Cæſar* and before, the *Britains* that had the *Druides* amongst them, the *Britains*, the Posterity of whom are our *Welſh*-men, he makes use of the Language not of them, but of the *Engliſh* or *Engliſh Saxons*, who came out of *Germany*, and brought with them the *German* Dialect, to prove that the *Britiſh* Language was the same with the *German*. In like manner the thing to be proved, being that the ancient *Gallick* or *Celtick* Tongue was the same, or near akin to the *German*; he produces not the *Celtick* Names of Winds, but the *French*, or those that *Charles* the Great and the *Franks* used, who also came out of *Germany*, and no wonder if they brought a Language with them, which was the same, and as near akin as could be to it, and to that of the *Engliſh Saxons*, though nothing related to the other of the *Welſh* or *Britiſh*, which

which is the matter in hand. His Succes is better in the last Branch of his Proof, Sect. 4. and that is from the many words, which in Authours appearing to be *Gallick* or *Celtick*, in sound and Signification came near to the *German*. For this he refers you to his Glossary of ancient *Gallick* words, added to the Itinerary of *Gallia Narbonenſis*. Without coming to his particulars, which would be too tedious, we can avouch his Testimony to be true in many Instances, and undertake for him to the Reader. Nay amongst those produced by Mr. *Camden*, we can find several, which without more wresting or force, thanhe himself professeth to use, we can for *Pontanus* his sake easily make speak the *Teutonick Dialect*. *Taranis* the Name of *Jupiter*, or the *Thunderer*; however, it may agree with the *Britiſh* word *Taran Thunder*, yet no doubt was the same with that of the *German* God *Thaar*, whence the *Danes* call the fifth day of the Week *Thaarſda*, or with the *Saxon Thor* or *Thur*, whence we call it *Thurſday*. The *Germans* by some Variation call it *Donderdack*, D and Th being promiscuously used in the *Teutonick*, whence as we say *Thunder*, they say *Donder*, but the Original was the same in both.

76. Whatever affinity there be, betwixt *Teutates* the Name of *Mercury* and the *Britiſh Taith*, certainly that from which our *Tueſday* was derived, may seem to bear as great Proportion to it, being *Tuiſco* the Great Idol of the *German* Nation, from whom as they call themselves *Tuytſh* or *Duytſh*, so the *Italians* still name them *Tudeſci*. The word *Geſſatæ*, by which the *Galls* meant *Mercenary Souldiers*, comes as near *Teutonick Gaeſts* or *Gueſts*, whereby *Strangers* are signified as it doth to the *Welſh-Britiſh Gueſſim*; and *Geſſa* the *Galliſh* Weapon may well have hence received its Original, as being first taken notice of to be worn by such. *Trimarſia*, whereby a fighting with three Horses was meant, may as well Challenge a *German*, as a *Britiſh* descent, for if *Tri* be *Britiſh*, so is it also *German*, signifying *Three*, in this as well as the other Language; for our *Saxon* Ancestours called the pleasant Month of *May*, by the Name of *Tri-milki*, because in it they began to Milk their Kine three times a day. And though *Marca* in *Welſh* signifieth an *Horse*, so *Mara* or *Mæra* in the *Teutonick*, being used of old to signifie the whole *Species*, as some Learned men have observed, as *Horse* now doth with us, who also think verily that instead of *Trimarſia* in *Polybius*, it ought to be read *Trimarſia*. As *Mor* in *Welſh* betokeneth the Sea, so in the *Teutonick Moeren* signifyeth Mooriſh as we say, or Wateriſh places, whence from the Lowneſs and Flatneſs of their Habitations, the *Morini* might be so named. As *Glaſſe* in the *Britiſh* Tongue signifieth *Woad*, which giveth a blew Colour, by the *Greeks* called *Stati*, and by the Latines *Vitrum*; if an *Engliſh* School-boy be asked what the *Saxon* English of *Vitrum* is, he will answer *Glaſſe*.

77. We could note something more upon *Camden*'s Catalogue, but we have transgressed already in the length of this point, and it's our Duty to give the Reader but a prospect of the Controversie. As for what Objections are made on both sides from Authority, concerning the main Question, whether the *Celtick* was the same with the *German* Tongue, they may be answered with this Assertion, that there may be many words common to several Languages, which we have no reason to believe were ever the same, as also that of those People, the Language of whom is Originally and substantially the same, the Dialects through distance of place, and length of time may be so divers, as the difference of Pronunciation added, very difficultly may they understand each other. The truth of the former part of the Assertion hath been sufficiently made out by the almost impertinent Labours of several late Learned men, who have taken pains to shew how many words there are in our Modern Languages, which are almost the same in sound and Signification, with several of the Greek Tongue, particularly in the ancient *Engliſh Saxon*, the present *Engliſh*, *French*, and the *Dutch*. Some find many *Arabick* words, others very many *Phœnician*, where yet they must confess the hulle and substance of the several Speeches are far different. It's certain, that Languages most remote in some points agree. And *Busbequius*, who was Ambassadour from the Emperour to the Great *Turk*, observes, that many *Dutch* and *Engliſh* words were in his time in use, in the very *Taurica Cherſoneſus*. On the contrary, a Language may be for root and substance the same, and yet the Dialects so different, and the Pronunciation so divers, as with difficulty can the People that speak them understand each other living at distance, and obnoxious to Impressions, made by Strangers with other Accidents. This appears sufficiently in those that make use of the *Teutonick*, of whom the *Engliſh* understand not the *Dutch*, nor the *Dutch* the *Engliſh*, when they speak words merely of that Original, little more do the *Dutch* understand

Sect. 4. ſtand the *Swediſh* or *Danes*, nay the Low Countreymen, thoſe that inhabit the upper parts of *Germany*.

78. To conclude the Controverſie ſo far as concerns us, it appears evident that, the *Celtick* and *Britiſh* were the ſame, both from the Teſtimony of unqueſtionable Authours, and the remains of that Language, which Antiquity like broken Boards of a Shipwreck hath caſt upon us. The Conſideration of the little diſtance betwixt the Iſland and *Gall*, brings no ſmall Addition of weight to the Argument; for that *Britain* was planted from that part of the Continent, is rather more than probable, as alſo that as the Iſland received its Inhabitants firſt from *Gall*, ſo alſo its Dialect from the *Celtick* Language. That the *Galls* and *Germans* ſhould have many things common, both Words, Names and Cuſtomes, ſeeing they were ſo near Neighbours, it's no wonder, ſuppoſing there was Commerce betwixt the Nations. The *Galls* were an active ſtirring People, made many Inrodes into ſeveral Countries, and no wonder at their return they ſhould be ſomething changed in their Manners, and their Tongues tip'd with ſome Words, Accents or Terminations witneſſes of their reſtleſs, light, and mutable Humours, to which the Inhabitants of that Air and Soil are ſubject whenceſoever they come. But to examine whether the *Celtick* and *German* Tongues were the ſame, or near akin we take in the *Britiſh*, which we can be throughly Confident was the ſame with the *Celtick* in ſubſtance, and compare it with the Modern *German*, we ſhall hardly be induced to incline to the Affirmative, conſidering what a vaſt difference there is betwixt our *Welſh* and the preſent *Dutch* Language, and yet that for a thouſand Years and more, neither is the *Welſh* nor *German* ſo changed in themſelves, but that at the firſt ſight one may eaſily perceive the Names and Words to be ſubſtantially the ſame, however the *Teutonick* be ſomething altered by Communication with other Speeches.

79. As for the Opinion of thoſe few, who thought that the ancient *Galls* ſpake Greek, it carries ſo manifeſt abſurdity with it at the firſt look, of any one that's but meanly skilled in Antiquity, that it deſerves not a ſerious Refutation, eſpecially conſidering what *Varro* hath written concerning the Citizens of *Marſeilles*, that they ſpake three Languages, *viz.* the *Gallick*, the *Greek*, and the *Latine*; the *Gallick*, becauſe that was the Language of the Country where they inhabited, the *Greek*, becauſe they were a Colony of the *Phocenſes* planted here, and *Latine* as they were Subjects of the *Roman* Empire, and had conſtant Entercourſe with that People. That moſt Learned man *Bochartus*, tracing the Footſteps of the old *Phœnicians* finds them in *Gall*, and many Names of Places, Rivers, and things he deduceth from their Dialect, remainders whereof he finds alſo in our *Britiſh* Iſlands, being the true *Caſſiterides*, to which that induſtrious Nation traded for Tinn in very remote times. But though he maketh it appear, that many things were common to both Languages, yet would not he have it thought, that the *Phœnicians* and *Galls* had one and the ſame Tongue, or onely differed in Dialect. For from *Polybius* it appears, in the Caſe of *Autaritus*, and otherwiſe that the *Galls* learnt the Language of the *Carthaginians*, by long uſe and Cuſtome, otherwiſe they had no Entercourſe with them, but by an Interpreter, as is evident from a paſſage in the ſame Authour, that in the Army of *Hannibal*, *Magilus* a certain *Regulus* of the *Galls*, declared what his Coutreymen had reſolved by the means and aſſiſtence of a *French*-man. Although by reaſon of Commerce, of common Wars, or which he rather ſuſpects of ſome ancient Colony of the *Phœnicians* planted in *Gall*, they borrowed words one Nation from the other, yet that they had ſeveral Languages, and peculiar abundantly appears in the Names of Men in uſe amongſt the *Galls*, moſt of which are quite different from the *Genius* of the Sacred Language, though well nigh all the Punick Names be merely Hebrew. *He concludes with this Aſſertion, that there is no need of proving by Examples, a matter which is ſo manifeſt in it ſelf. But enough (if not too much) of the ancient *Gallick* or *Celtick* Tongue.

The *Gallick* and *Hebrew* compared.

* *Nihil opus eſt ut exemplis probemus rem per ſe manifeſtiſſimam Geograph. part. 2d. ſeu Chanaan, lib. 1. c. 42.*

80. The *Gallick* Tongue being ſuch before the coming of the *Romans* was forced to truckle to their Latine, as well as the Countrey to their Victorious Arms, but this not on a ſudden, but by long uſage and Continuance of time. The *Romans* wherever they ſubdued a Countrey eſteemed it a Maxime of State never to be left unpractiſed, to procure the Natives their new Subjects, to learn their Language, to bring them to a nearer Familiarity and acquaintance with them, and their Government, without which more Difficultly could they be kept in Obedience and Civil order. For this purpoſe they ſet up ſeveral Schools to inſtruct the Youth, as for ſubſtance in *Gall*, at *Autun*, *Beſançon* and *Lyons*, of which we are informed, both by

The Latine Tongue introduced by the *Romans* when they Conquered *Gall*.

Auguſtodani, Vesontiane Lugduni.

by *Tacitus* and *Auſonius*. The Natives perceiving there was no ſtrugling, and that they muſt needs ſubmit unto the Yoke, to make the burthen as light as might be, accommodated themſelves to the deſires of the Conquerours, and learnt their Language, eſpecially knowing that no preferment could be got without it. *Latine* then began to be the Gentile ſort of Speech, and the *Celtick* to be accounted Clowniſh, and by degrees to grow out of Faſhion: But as it decayed in Reputation and Practice, it made great Alteration alſo in the Latine, it being impoſſible, but that amongſt ſuch multitudes of Speakers, there ſhould be diverſity of Words and Phraſes, and a great mixture and medley be produced, for it was hard to obliterate thoſe Impreſſions, which long Cuſtome and daily Practice have acquired. Therefore though great violence was offered to the ancient *Gallick* Tongue, the words of which were diſcarded, and Latine intruded into their places, yet by a certain ſort of Re-action, the *Gallick* forced alſo ſome of it's own upon the Latine, and that very early, when the Conteſt betwixt them was but newly begun. Sect. 4.

81. For *Cicero* in his time complains that a ſtrangeneſs of Speech was infuſed into the City, ſo that no remainders of the ancient quaintneſs of Language was to be found. The *Roman* Oratours and Poets began to affect *Celtick* words, and by degrees made them free of the Commonwealth, as *Rheda* and *Petoritum*, whereof *Cicero* himſelf for all his complaints uſes the former, and *Horace* thinks fit to ſerve himſelf of the latter. If then ſuch Alteration was made at *Rome* it ſelf, how muſt that Latine be handled, what mixtures muſt that receive, which was ſpoken in the Provinces? The *Celtick* Language went to wreck, but the *Roman* by its Conqueſt, was alſo weakened and reduced to ſuch a Conſtitution and Temper as eaſily to be obnoxious to the Impreſſions that were made upon it by other ſtrange and Barbarous Speeches. For the *Roman* power as well as the Purity of the Language, decaying in *Gall*, the *Goths*, the *Vandals*, *Burgundians*, *Allemans*, and laſt of all the *Franks*, made their ſeveral Invaſions, and brought almoſt as great an Alteration into the Language, as they did a change into the Power and Government of the Countrey, ſo that the true Genius of it was deſtroyed, and the ancient Face and ſhew of it quite obliterated, a Foreign and ſtrange ſort of Declenſion and Phraſe, as well as multitudes of words being brought in. And the ſame fate had the Latine Tongue at the ſame time in *Spain* and *Italy*, where by its Conjunction with the Mooriſh Language, the *Gothick* and other *Teutonick* Dialects, thoſe Baſtard Speeches we now call *Spaniſh* and *Italian* were begot.

Epiſt. ad famil. lib. 7. ep. 15.

Vide Quintilian. Inſtit. & Orator. lib. 1. c. 5. Caſnar aſſectator è Gallia duxtum eſt. Plurima Gallica valuerunt, ut Rheda ac Petoritum quorum altero Cicero, tamen altero Horatius utitur. Locus Ciceronis eſt in Orat. pro Milane, hæc ſunt verba: Obviam ſit ei Clodius expeditus in equo nulla Rheda nullis impedimentis, nullis Gracis comitibus ut ſolebat. Horatii locum vide l. 1. Serm. 6.

—Plures calones

atque Caballi, Peſcendi, ducenda petorrita; & Rheda & Petoritum genus vehiculi Gallici ſignificat. Petoritum è quatuor rotis Conſtabat.

82. This Hodgpodge or Medley, was at ſuch time as the *Franks* were well ſeted in *Gall*, called the *Ruſtick* in oppoſition to the pure *Latine*, which was preſerved in Books and underſtood, and written by Learned men, onely as it is at this very day. And yet ſo great were the Impreſſions made, by theſe many Foreign Dialects, that even the Latine writings of the moſt Learned men of theſe times, compared with the beſt Authours, appear little better than Barbarous. What a ſtrange ſtyle, and what odd Words do we find in *Caſſiodorus*, one of the beſt Scholars of his Age. By him we may perceive how the *Roman* Tongue was then decaied in *Italy*: And for *Gall* what ſlender Latine was written by the moſt Learned amongſt them, is ſufficiently evident from *Gregory Turonenſis*, and what a number of *Galliciſmes* and *Franciſmes* were broken in upon them in his time. To give the Reader a Taſte, the word *Parens* and *Parentes* in the plural throughout his Book, he uſeth not in that Senſe, that good Latine Authours do, but as the Modern *French*, to ſignifie Kindred in general, wherein he is imitated by *Aimoinus*; *Repedare*, he uſeth for to retreat or go back. The word *Reclauſus*, as now they do for one retired or ſhut up cloſe, which they (and therefore we muſt) call a Recluſe; *Metatus* for a dwelling or Habitation. *Aripennis* the old *Gallick* word, for a certain quantity of Land, which as *Columella* informs us, was *half an Acre*, *Mala hora* in that Senſe as they ſay, *Malheure for ill Luck*, and thence *Malheureux*, for *Miſerable*, *unfortunate or unlucky*: *Levare* in that Signification they now uſe *Leur* to *raiſe*, *lift up* or *carry away*, as an eminent Tranſlatour of our own moſt ſtrangely miſtaketh it. *Placitum* for *Pleas* or *Pleading often*, and *Placitare* to *Implead* as our Engliſh *Norman* Lawyers now do phraſe it. *Leudes* and *Leodes* are with him the ſame with thoſe whom the *Dutch* now call *Lieden*, *Vaſſals* or ſuch as are obnoxious to their Prince. *Cupæ* are *Wooden Barrels* or *larger Veſſels*, in which Senſe with the *Dutch* the word ſtill remains, and thence call they the Workman that makes

Which Hodgpodge is termed the Ruſtick in oppoſition to the pure Latine Language.

Lib. 4. c. 10. Lib. 5. c. 17. Ibid. c. 27. Lib. 5. de Rhetica, c. 1. Lib. 6. c. 45. Lib. 7. c. 4. Εικαίρ Βαρβαρικὸν, Latine dicnata ubi hæc verba in Tirolo. De exercitu comtra Regem levato. Lib. 7. c. c. 13. 14. 23. Lib. 3. c. 23. l. 8. c. 9. & alibi. Lib. 7. c. 37.

Sect. 4. makes such Vessels *Cuper*, and we English a *Cooper*, though Cup with us signifies a a lesser sort of Vessel to drink in, the same which in another place he calleth *Bacchinon*, whence the *Dutch Back*, and our and their *Beker* is derived. In his Writings we find *Morganegoba* signifying a *Mornings Gift*, as *Morgengaue* and *Morgengabe* now do in the *German* Tongue, a Gift given to the Bride by the Bridegroom the Morning after their Marriage. *Lib. 9. c. 38. Ibid. c. 20.*

83. The *Rustick Roman* or *Romance* (as they called it in *Spain*) being the Medley Language generally spoken when the *Franks* had seated themselves in *Gall*, could not for a long time expell or swallow up theirs, but by degrees, as it had dispatched the ancient *Celtick*. For as we formerly said in the days of *Charles* the Great, the old *French* was the Language of the Court, and after him (there at least) it continued reasonably pure, and unaltered during the Reigns of his Grandchilders, a Specimen whereof we shall present the Reader, to give him full Satisfaction, and a more distinct apprehension of this matter in hand. * The Sons of *Ludovicus Pius*, had great Dissentions betwixt themselves, but at length a Reconciliation and perfect Union being made, each of them took a solemn Oath for Confirmation thereof, and *Charles* particularly in the *Theotisch* Language (for so was it called) in these very words. *In Godes minua induithes Christianes folches ind unser bid hero Gealteniß son theſemo dage framinordeſſo fram so mic Gat gennis ci indi madh furgibit se haldjihtis an minam bruher ſcal inthi utha Zormigſoſo madno indimit lukerem in nothe in mit hing nege gango theminam wuillon imo ce ſcadhen merhen.* The Orthography of this Oath is very odd, and many Words by often Writing and Printing of *Nithardus* the Historian his Copy are corrupted, but to any one that understands the *German* Language or the *Teutonick* Dialects perfectly, it cannot but appear of that Original. The Imprecation is contained in the Confession of the ancient *German* Church with very little difference, and the *Danes* have at this day a Phrase, and Words not much differing from it. But the whole is to be explained, but out of several Speeches or Dialects of this ancient Language, for as *Rodericus Toletanus* near five hundred Years agoe observed, the *Teutonick* (properly so called, or *German*,) the *Danish*, *Norwegian*, *Suedish*, *Flemmish*, and *English* Tongues were the same, distinct onely in *Idioms*. To this Oath of *Charles* we shall add, that Fealty or Allegiance, which their People took, and *Nithardus* hath also related in these very Words, as we have them from the Edition of *Pitheus*. *Oba Karl theu eid theu ér ſineno bruedher Ludhuwige geſuor geleiſtit, inde Ludhuwig min herro theu ér imo geſuor forbrichit, ob ih ina nes arwendenne mag, no ih, noh thero, no hein themihes incuenden mag nuidhar karle imoſe follus time nuirdhit. Pontanus* has turned both this and the other into the *Belgick* Dialect, whereby the Reader if he please may see that near Affinity and Proportion, which one of the Speeches beareth unto the other.

* *Vide Nithardi Hiſt. de Diſſentionibus filiorum Ludovici Pii, lib. 3. p. 353. Authorum Pitheanorum, Tom. 2.*

Sic Belgicè quidem interpretatur: In Godes minne ende des Christlii chen volcks ende ure beider te behoudenisſe van desen dage af, ende voorts in de Godt Woordschap ende maer, soo lange Ich ons mi jnenbruder, &c. Halten en nim & Rebaten eſt ſervare.

In Confeſſione veterris Eccleſiæ Alemannorum, Tom. 2. Alleman. Antiq. edente Goldaſto.

Frammordeſſ fram: Udi fram tiden, Belgice voorts en voorts Angliſce from, deinceps &c.

84. The same *Nithardus*, who himself lived in these days, and was the Nephew of *Charles* the Great by his Daughter *Bertha*, hath also left us upon Record the Oath which *Lodowick* the other Brother took in the *Rustick Roman* Speech, a very choice Monument, whereby the Reader may see the two quite different Languages spoken at the same time upon the same place, by two several sorts of People, the *Franks*, and the *Romanized Galls*, though by the better sort, both of them were understood and spoken. This is the same Oath in the *Romance*, *mutatis mutandis*, which we formerly presented in the *Theotisch* or *French* Tongue. *Pro do. amur & pro Xpian poblo & noſtro Commun ſalvament diſt di en avant in quant diſ ſavir & podir me dunat ſi Saluarai eo ciſt me on fradre Karlo, & in adiudha & in cadhuna coſa, ſi cum om per dreit ſon frada ſalvar diſt ino, quid il mi altro ſi fazet & abludher nul plaid nunquam prindrai qui me on vol eiſt me on fradre Karle in damnaſil.* The People moreover which understood and spake this same Language, made in it the same Oath with the former, which because it is not long we shall also here present to the Readers Eye. † *Si Lodhauig Sagrammnent que ſon fradre Karlo jurate Conſervat, & Karlus meros ſerodra in ſuo part rales tanit, ſi jo returnar non lint pois ne jo neulſlui eo, returnar jut pois in nulla ajudha contra Lodhuwig nun li iner.*

Pour l'amur de Dieu & pour le People Chreſtien & noſtre Commun ſauvement de ceſte journée en avant en quant que Dieu m'avelt & pouvoir me donnera ainſi je le ſalueray mon frere Karl, & en aide & en Chacune choſe ainſi comme l'hom per Droiſt, &c.

† *Si Louis le ſerment qu'il á ſon frere Charel jurè Conſerve, & Charle mon Seigneur de ſa part ne le tient, ſi je detourner ly ne puis ni ſe, ni nullui detourner luy ne puis, en nulle aide contre Louis avec luy iray.*

85. Thus we see what both the *Rustick Romance*, and the *Theotisch* were, into which a Canon of the Council of *Tours* orders that the Bishops should cause the Homilies to be translated, that they might be understood by all. And hereby may the Reader perceive how great a change in all Sublunary things time produceth. That Language which is newest is always counted the best and most Gentile. The *Celtick* was first esteemed Clownish and laid aside; the *Roman* being most in request, and happy he that could speak it. Then when the *Franks* came in, their Language called the *Theotisch* being that of the Court, became the Gentilest for a while, and the ordinary *Roman*, as well in respect to it, as to the pure Latine onely preserved amongst the Learned, was termed *Rustick*: Yet as we formerly noted, the Language of the multitude prevailed at length, over that of a few Invaders, and what was once counted Gentile and Courtly, became neglected and out of Practice, Custome, as *Pindar* the Poet saith, being King of all things. But behold still more to admire. The *Theotisch*, that is the *Tuitsch* or *Duitsch*, or *Teutonick* Dialect was at this time, whereof we write, called the *Frankisga*, *Taugen* or *French* Tongue; but afterward the Case was quite altered, the *Franks* by degrees forgot this their Language, accustomed themselves to that of the Provincials, or Native *Galls* mixed with *Romans*, which had the same Success over it, as it had formerly over the *Celtick*. This they own, this they hugg and embrace, this they admire, esteeming all others Barbarous, and forgetting their own Original. This still corrupted Latine, though it be, to use their own fine Words, a *Jargon* and *Meslange*, or *Hodgpodge* of *Celtick*, *Roman*, *Gothick*, true *French* (or *Theotisch*) and other Speeches, they think they can never trim, adorn and polish enough. But thou seest, Reader, what the true and first *French* was. How now by degrees this being forsaken, the Bastard *Roman* was espoused, and having got the Name of *French*, how it altered to what it is at present, and what its Constitution was and is, I think it not altogether impertinent to tell thee, to make our Discourse more complete in Sum, to present thee with the Memoirs of the *French* Tongue, a Tongue most dear unto thee if thou beest not a Pedant, a mere *English*-man, art a Traveller, or hast any thing in thee of good breeding.

Three sorts of Languages in use among the *Galls*.

86. Know then, that being adopted as it were into the Name of *French* by the dying Language of the *Franks*, it consisted as we formerly hinted, and now again are forced to repeat, most of Latine, but yet had many words out of several other Speeches imposed on it, however against its *Genius*. The ancient *Celtick* though so long agoe driven out of *Gall*, yet left some remainders of Words behind it, which by their near Affinity to the *British* sufficiently shew what was their Original. To instance in a few: *Guerir* to *Heal*, which *Guerif* signifieth amongst our *Welsh*-men. *Guaine* with the *French* is a *Sheath*, and so is *Gwain* with the *Britains*. They say *Derechef* for *Again*, and the *Welsh Derchefu*: The *French* have *Camur* for *Crooked*, and the *Britains Cam*, the one Nation useth *Bateau*, and the other *Bad* for a *Boat*, the one *Gourmand*, for *an over great Eater*, and the other *Gormod* for *over much*; the *French Baston*, the *Britains Pastcon* for a *Staff*, the *French Accabler*, the *Welsh Cablu* to *Oppress*, the *French* call an *Haven* by the Name of *Haure*, and the *Britains* by that of *Aber*; and the word *Comb* is used by both Nations for a *Valley*. And as this Language retained many of the old *Celtick* words, so many more of the *Teutonick*. The Names of Rivers, Towns, and Places, are most of them *Gallick*, but the Christian Names of men, when not out of Scripture, particularly of their Kings, are generally of the *German* Original, as are a great quantity of common and ordinary words, of which it would be too tedious here to make a recital. The General and most probable Estimate is this. The present *French* Tongue may be divided into four parts, whereof one half is to be ascribed to the Latine, as to any one that is meanly skilled in both, it cannot but evidently appear. The other half is so to be distributed, as that one part may be allotted to the ancient *Gallick*, another to that of the *Franks*, and the last and least to the *Greek*, betwixt which as *Henry Stephen* has abundantly shewed, and the Modern *French* there is great Conformity, by reason of the Commerce with the *Massilienses* or old Inhabitants of *Marseilles*. So weak is the saying of *Matharell*, who resolves to oppose *Hotoman* whether right or wrong, that the present *French* is nigh the same Speech with the old *Gallick*, because forsooth he finds some words the same with those *Gallick* that are mentioned in ancient Authours, and because the Names of Rivers and Places are very much the same.

The Composure of the *French* Tongue.

Hotomani Francogallia, c. 2.

In respons. ad Hotom. Francogall.

87. To come then to the Latine, it had much more Conformity to it, in the time of *Charles* the Great, and thereabout than it hath at present, the *Teutonick*, or that of the *Franks*, e'er it self became extinct giving very much Alteration to it. And indeed from the *Teutonick* hath it received its Phrase, Form and Declension, though

Epiſcopus homilias apertè transferre ſtudeat in Rusticam Romanam Linguam, aut Theotiſcam, quo facilius poſſent cuncti Intelligere.

lies

Sect. 4.

Sect. 4. though most of its words from the Latine. For no otherwise do the *French* at this day express their minds, than the *Germans*, *Low Countreymen*, and *English* by the adjutant Verbs, *Am* and *Have*. For Example, a *Roman* would have said *Tu fecisti*, which if a *French*-man imitate or translate, he must say, *Vous avez fait*, nor otherwise then the *German* would say, *Du habstes gedaen*, and an *English*-man, *You have done*; which way of Speech in Latine would be Intolerable, for who would say in that Tongue, *Tu habes illud factum?* The Reader by comparing the Oaths lately mentioned with the Modern *French* may be farther satisfied in this particular. We come to the Latine words, to see how they came into that form and shape we now behold them. This was by changing *A* sometimes into *E*, as writing for *Ætas Este*, *Bonitas Bonte*; sometimes into *I*, as *Cerasum* into *Cerise*, *Vacuus Vuide*; sometimes into *Ou*, as for *Tangere*, *Toucher*; otherwhile into *Ea* as *Aqua* into *Eaue*, and into several other Diphthongs, as *vice verso Ea* into *A*, as in many Instances we could shew; as also their change both of the Vowels, *I* and *O* into *A*, and indeed mutably the same Alteration in them all. For Consonants the same thing may be observed, as for a taste, *B* into *C*, as *Cubare* into *Coucher*, *Cubile* into *Couche*. So also into *F*, as *Babalus* into *Bouste*, *Trabs* into *Treffs*; into *G*, as *Ruber* into *Rouge*; into *P*, as *Turba* into *Troupe*; and into *V*, as *Caballus* into *Cheval*, *Debitus* into *Deuë*, and *Ebrius* into *yure*. The like might be said of all the rest of the Consonants well nigh, and an whole Dictionary made, but that's not our work, and the Reader if he desire full Information may consult the *French* Grammar of that Learned *French*-man *Robert Stevens*.

88. But herein the ancient Speakers of this Language imitated the *Romans* as in other respects, that they joyned not Articles with Words, as the Modern *French* doe in Conformity to the *Teutonick*, and ended divers Genitive Cases in *S*, as for *Liber Cæsaris* in Latine, they would say and write *Lieure Cæsars*, whereas now they write *Le liure de Cesar*. From this Correspondence with the Latine comes it to pass, that there are many proper Names ending in *I*, because they were called by the Name of their Family, more especially in *Italy*; but in *France* also some, they being so named in their Contracts made in Latine. But to note farther the Inconstancy and Alteration of this Tongue, those, who anciently spake it, ended many words in *Erre* and *Esse*, which now-a-days are terminated in *Eur* and *Euse*. For example they said *Semerre*, *Gaignierre*, *Trichierre*, *Sannerre*, *Vainquierre*, *Luitierre Vergierre*, *Pechierre*, *Conoissierre*, *Decomerre*, for what is now written, *Semeur*, *Gagneur*, *Trompeur*, *Sauneur*, *Vainqueur*, *Luiteur*, *Vengeur*, *Pecheur*, *Conoisseur* and *Deconeur*. They said *Taucereſſe*, *Trounereſſe*, *Lechereſſe*, *Mangereſſe*, *Repentereſſe*, *Demonſtreſſe*, for what now they say, *Tauceuſe*, *Trouneuſe*, *Friande*, *Mangeuſe*, *Repentante*, and *Demonſtreuſe*. Sometimes they ended their words in *Oisse*, as *Aideroisse*, *Conforteroisse*, and the like. To such words as end now in *Eau* they added *Aux*, though they spake in the singular Number, as in *Biaux*, *Oisiaux*, *Touiaux*, *Aniaux*, sometimes they left out the *u*, terming them *Biax*, *Oisax*. On the contrary from plurals they took the Letter *S*, as saying *li autre*, which is now changed into *les autres*, *li enchantement*, now *les enchantements*. Such as now end in *jeu*, they terminated in *ex*, writing *Diex* and *Liex*, for *Dieu* and *Lieu*. More anciently they wrote and said, *Soye* and *Moye*, which now is altered into *Sienne* and *Mienne*, *Sor* for *Sur*, *Ot* for *Eut*, *Pot* for *Peut*, *Seaut* for *Seut*, *Veaut* for *Veut*, *Fui* and *Bui* for *Je fus*, and *Je beus*. In some words they placed *H* after *C*, where the Modern *French* now leave it out, and on the contrary had no *H* there, where it is at this day placed; for Example they said *Cha*, *Embracher*, *Merchy*, *Conchut*, *Puche*, *Cheler*, *Piecha*, for which now you have *Ça*, *Embrasser*, *Mercy*, *Conceut*, *Puce*, *Celer*, *Pieça*; on the contrary they called that *Reproce*, *Duceſſe*, *France*, *Blance*, which now is *Reproche*, *Ducheſſe*, *Franche* and *Blanche*. They said *Sentu* for *Sentir*, *Creez* and *Veez*, for *Croyez* and *Voyez*, *S'ame*, *T'ame*, *M'ame*, *S'image*, *T'image*, *S'angoiſſe*, *T'aucelle*, *M'aucelle*, *S'oſteſſe M'eſped*, whereas now they write and speak *Son ame*, *Ton ame*, *Mon ame*, *Son Image*, and the like for those that follow.

Voyez les Recherches des Antiquitez de la Langue Françoise ou Dictionaire Gaulois par Pierre Borel Medecin de Paris Imprimé, 1657.

89. As more conformable to the Latine, they ended such words in *Ous*, which their Posterity now have changed into *Eux*, saying *Pious* and *Religious*, for *Pieux* and *Religieux*. On the contrary they changed the *V* into *O* in several words, to which those that came after again added the *V*, and so retained both *O* and *V*, saying *Poue* and *Pooir*, instead of the *Pource* and *Pouvoir*, and *Molt* and *Cort*, for *Moult* and *Court*. Many words they terminated in *El*, which since have been ended by *Eau*, as *Cremel*, *Mantel*, *Corbel*, *Chamel*, *Veel*, *Cheurel*, *Morcel*, *Pel*, *Moncel*, *Vaissel*, *Fournel*, *Bel*, *Fourrel*, *Chapel* and *Tumbel* more agreeable to the Latine, instead of

of which now if you will speak proper *French*, you must say *Cerneau*, *Manteau*, *Corbeau*, *Chameau*, *Veau*, *Chevereau*, and the like. Many they ended in *On*, as *Mesprison*, *Achoison*, *Delivereson*, for which *Mespris*, *Occaſion*, and *Deliverance* are now in request. For *Dirent*, *Mirent* and *Occirent* they said *Diſtrent*, *Miſtrent* and *Occiſtrent*, *Enſoigne* for *Enſeigne*, *Pointure* for *Peinture*, *Teche* for *Tache*, and *Plaigne* for *Plain*. The Latine *O* now and then they changed into *V*, saying *Cuel* which now is *Col*, *Cuer* now *Coeur*, and to *O* added *V*, as *Repous* and *Propous*, now written *Repos* and *Propos*. Most of the words ending now in *Eur*, they terminated in *Or*, as *Trouveor* and *Chanteor* they wrote not *Trouveur* and *Chanteur*, and *Jougleor* not *Jougleur*. The Particle *de* they often omitted, or understood as *Les fils Tuain* for *Dyuain*, which yet is continued as they say still at *Paris*, *l' Hoſtel Dieu*, not *l' Hoſtel de Dieu*; and lately *Le Palais Cardinal*, as in the Northern parts of *England*, they seldom put the Letter *S*, as the sign of the Genitive Case, but instead of my *Father's Horse*, *Stable*, *House* or the like, say my *Father Horſe*, my *Father Stable*, and my *Father Houſe*; and here in *London*, not *Somerſet's Houſe*, *York's Houſe*, *Kirk's Houſe*, but *Somerſet Houſe*, *York Houſe* and *Kirk Houſe*. Their *Dux* was afterward changed into *Duc*, their *Salus* into *Salut*, and their *Capel* into *Capet*, their *Nuis* into *Nuit*, and their *Pous* into *Pout*.

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90. The Observations of this Nature might be infinite, but this may be said in General, that the remoter times in the use of Words, went still farther from the Latine, although in some Cases this Rule must admit of an exception. One thing by no means is to be omitted, and that is the strange Affectation of brevity in words, in writing by Contraction of Syllables, and in Pronunciation by leaving out the Consonants. *Quadrageſima* must be *Quareſme*, and then *Careſme*, *Perdere* contracted into *Perdre*, and *Pudicelle* into *Pucelle*, *Scribere* into *Eſcrire*, *Chriſtianus* into *Chreſtien*, and Thousands of others so abreviated. But neither would these *French*-men content themselves with such a Contraction of words, but these words thus contracted, they must again in their Pronunciation contract, leaving out many Consonants; as for Example the *S* in all these we have now mentioned. The Humour and Custome of the most ancient *French* was to omit in their short writing the Vowels, whence afterward proceeded new words, as *Quareſme* they were wont to write *Qureſme*, *Quarrel*, *Qrel*, for *Moult Mlt*, and for *Chevalier Chr*. But late days their Posterity thinks fit in their Writings, to omit the quiescent Consonants, especially the *S* before the *T*, as for *Eſtant* they wrote *Etant*, for *Eſtè Erè*; so *S* before *C*, as for *Eſcrire* now you find *Ecrire*, and the like in other Words. If we compare not onely some of their present words with the Latine, from which they are derived, but with those in use about *Charles* the Great his time, we cannot but a little wonder at this Affectation. We find in the Oath taken by the People in this Romance Tongue, and lately mentioned, that one of the Brothers was called *Ludhuvig*, as *Ludovicus* in *Latine*, and *Lodowick* or *Hlodvick* in the *French* or *German*. Now is it so Metamorphoz'd, that one living in that time could not know it, for they write it *Louis*, and pronounce it *Loüi*. He that was called *Clodonæus* in like manner they write *Clouis* and pronounce *Clovi*. And what is more, *Theodorick* they write *Thierry*, *Landerick Landry*, and the latter part of the Name of *Brunichild*, they have quite mangled and changed, calling her *Brunehault* in their modern Histories.

Their Contraction, or Abreviation of words.

Or qu'il ne soit vray que l'Etymologie se perd par la nouvelle Orthographe, considerez si le mot doibt ne monstroit pas qu'il venoit de debet, plustost que l'Escrivant doibt; & Escripture venoit de Scripture, plutost que Escriture: Soubs venoit de sub, plustost que Sous, & ainsi d'une infinité d'autres mots que je passeray sous silence. Ils voudroient cacher l'origine de leur Langage qui n'est que le Latin corrumpu ou un jargon de meslange, comme nous avons dit, fait par l'irruption des Barbares dans les Provinces Romaines.

91. They are so possessed with an humour of refining this Bastard Latine, that there is no end of their fancies and attempts this way. The word *Mademoiſelle* the great Courting word of this elegant and neat Courting Language as they would have it esteemed, they have as is congruous made so effeminate, that whereas not long since they they pronounced it out in length, of late to soften it in the Ears of their Mistresses they pronounced *Madmoſelle*, but this being too long, now *Mamoſelle*, and it's to be expected that in a little time it will come to be *Melle*, and afterwards

Pource qu'on croit quelque haine pour un mot, on veut l'appeller vieux, & le rejetter, & faire un langage à la mode, comme on fait des modes de toutes les Choses du monde qui ne font qu' appauvrir le Royaume, & faire passer les Francois pour ridicules parmi les mesmes Nations des habits desquelles ils se parent en leurs Farces. Est ce donc que nous parlons mieux que nos peres & avons plus de Jugement? Rien moins. Mais c'est que nous sommes preoccupez d'autres mots qu'on nous Enseigne, & que nous nous y sommes accoustumez tellement, que le langage ancien nous choque incontinent. Si encore on en demeuroit là ou lon en est, on pourroit prendre patience. Mais les Changements dureront autant que le monde, & ceux qui par leur eloquence presente croyent avoir acquis une reputation eternelle, passeront pour ridicules dans moins d'un siecle. Hoc verè & ingenuè fatetur Borelius Parisiensis Medicus.

Me-aire,

Sect. 4. *Me-aire*, wholly Spiritual or Angelical; so airy is their fancy, and light is their temper, that to avoid harshness, they run upon the other extreme of Effeminacy. Certainly a due mixture of Vowels with Consonants, and an open pronunciation of both, provided there be no rude harshness such as is that of the *Italian* Tongue, is more majestick and manly, and more suitable to the Organs of Man's Voice, as that Musick is not always the best, which departs the most from the Base in sound and proportion. But so great a desire have they to polish this Speech with Eloquence, because to them there seems nothing to want to the felicity of their Kingdom, but to separate from the Number of Barbarous Languages, that Tongue which they † See *Pellisson's* History of the *French* Academy founded by Cardinal *Richlieu*. speak, and which all their Neighbours too will speak e'er long, (they are their † own words) if their Conquests continue as they have begun. For so brave a Design, one of the greatest Ministers of State they ever had, founded a Society called the *French Academy*, consisting of the choicest and most refined Wits of *France*, the Conferences of whom he looked upon as the most assured means to bring it about. Forasmuch as their Tongue which was then more perfect than any other which was spoken at that time, might as well at length succeed the Latine, as the Latine did the Greek, if there were more care taken than had been thitherto of Elocution, which is not indeed the whole of Eloquence, but makes a very considerable part of it.

92. Such are their hopes and expectations that their Conquests shall increase, and their Neighbours be forced to submit both to their Language and Empire, which they think is in a fair way to succeed that of the *Romans*, as the *Romans* did the other of the *Greeks*. Now both *Greeks* and *Romans* found it a very great expedient for the Continuation of their Empire, to propagate their Language, and suppress by degrees the Original Speeches of the several Conquered Countries. They like great and perfect Statesmen consider this, and are so prudent as to conclude that it's in vain to expect and attend an after Game, where there is hope they may be beforehand. If the Speech of the Conquerours propagated amongst their Subjects be a great means to keep them in Obedience, by rendring their Persons and their Government familiar to them, then it must also be a means to facilitate their Conquests, and draw in a People not yet subdued, their Language making way for their Arms by communication of Councils, and a convenience of insinuating those things there, where want of understanding what each other says, increases a strangeness, and strangeness ever procures a diffidence and an Aversion. Therefore did they not onely set about the polishing of their Language as they imagined, to make it more charming and effectual; but having begot a good opinion of it in those who, ignorant of better, travell into their Countrey for gallant Breeding, translate all the most considerable Authours which speak either the Greek or Latine into it, to render those Languages useless, and to advance their own into the place of both. What their success in this kind of Conquest of their Tongue hath been, and is daily we have largely seen; the *French* being now the Courtly gentile Language, and in as great Reputation in some other parts of *Europe*, as it's parent was once in *Gall*, it obtruding its words, and phrases still upon those of the Countries, and giving good hope to its Masters to obliterate them wholly at the length, it is already become the Gentile, and as to the Commerce of Strangers has already in a manner displaced the Latine, which by imprudent People, who never think nor consider whither things drive, now begins to be drolled at as the Language of Pedants. Could it once attain to be the learned Language, the work would be accomplished, and this it would quickly be were it once imposed upon the Universities, and had the Keys of the Arts and Sciences delivered into its Custody, a fair way to which they have already made by their Translations, and as they hope by the dints of their Swords. But what progress they have made in that other sort of Conquest, *viz.* by Arms, it's more proper for others to consider than my self, as also how far this may farther confer to it, that the Latine Tongue begins to be despised, and *Europe* is generally Frenchified, being one would think bewitched and running a madding, both after the Speech and the Fashions of that Nation.

93. Whatever the issue may be, the danger is not very much apprehended, as we may judge by the universal demeanour of the Christian World; and however the case may stand upon a formal Examination and scrutiny by the principles of ancient, and therefore now-a-days dull and despised prudence, it may be hoped their whole design will no more succeed than hath the project of their Academy, for refining of the Language, in order to which by all means a Dictionary must be made

made of true and Authentick words and phrases. But their Founder before his Death often complained that he was frustrated in his Expectations, and that they did little or nothing of moment. The People in despight of their Rules, and Observations ever was and will be Masters of Speech, which is framed by custome and generality of Expressions, any one word in it self signifying no more one thing than it doth another. Therefore though a Dictionary hath been promised and expected above thirty years, yet cannot we yet have the happiness to see it, and to speak truly it's *Sisyphus* his Work, for as they add still new words to it, the first and oldest will become out of use and fashion. But there is no great need of their Travel in this matter, for be it what it will, being *French*, it is and will be both greedily received and admired, witness the rascally Bagatells, which come out every day, and by our People are bought up because *French*, as the greatest treasures of Wisedom and Ingenuity, though not one word of truth or sense in them. This, Reader, is the cause of our so great prolixness upon this Subject, for I thought I could not doe thee a more eminent Service, than in drawing the Pedigree though at length, of that whereof thou art so exceedingly inamoured. Take with thee at parting, and dispose of it next thy Heart, or where else thou pleasest, the true and lively portraicture of it drawn in little, by no worse Pencil than that of him who understood it well, the most skilfull and dextrous *Joseph Scaliger*.

Si Homuncio alicujus Francus Francicè Crepitum edat, nostrates illico arrigunt aures, plaudunt & admirantur.

94. Art thou ignorant saith he, that the Tongue thou now usest like as the *Italian* and *Spanish*, is an Abortive Brat of the Latine? The Materials of it came from *Latium*, which have now acquired a depraved form, are stuft with adspirations, the sounds of the Vowels being distorted to the forming of deformed Diphthongs, insomuch that even at this time you cannot agree amongst your selves, with what Elements (or Letters) you should Write. How much more purely do the *Suissers* speak who use no Diphthong at all? Farther, the Accents and Quantities are adulterated, the Consonants devoured in pronunciation, in which if there be any sense, why should not the Orthography be the same, and omit them as well as doth the Speech? Of the Declensions I say nothing, for they are nearer akin to the *German* sound, whence the *Franks* are descended. But go to, if you will ask any thing requisite for Eating and Drinking, or for War, of which necessary things you are very studious, you must (though barbarously) ask for them in Latine, as *Piscis, Caro, Panis, Vinum, Spatha, Scutum, Lancea, Caballus & Coriacea*, for this must come from *Corium*, as with them *Lorica* from *Lora*. As for these Madmen, who would derive you from the *Greeks* because of the *Druides*, their inconsiderateness often makes those laugh, who are furnished with more acute Judgments. Thus much, and too much indeed of this Language, but Reader as I said thou must thank thy self.

An ignoras linguam vestram, qua nunc utimini, Latinæ linguæ abortum esse quoniam admodum & Italicam & Hispanicam, &c. in Præf. ad Thesaurum de lingua Gallica. Vide Postanum, in Origin. Francic. lib. 1. c. 11.

95. We shall spend the remainders of what we have to say, upon the Customes and Polity of the ancient *Franks*, and herein as it is fitting give their Kings the Honour of *precedency*. That they had Kings from that very time that we have the first knowledge of them in Antiquity is very evident, their being is certain, the onely question is concerning the manner, and first how they came to that Dignity; the opinion of some Learned men is that the Kingdom was not hereditary, but in conformity to that Nation from which they had their Original, was conferred by the choice and suffrages of the People. That the Kings of the *Germans* were created after this manner, * *Tacitus* affirms, where he tells us that they chose their Kings for their Nobility, and the Captains for their Valour. This custome is yet retained by the *Germans* themselves, and the *Polonians*, and lately both by the *Suedes*, and *Danes*. Yet have the Sons † of the Kings ever had the prerogative, or been first considered in the Choice, a great mark of the excellency of ancient Prudence. For as skilfull Hunters according to the Observation of ‖ *Plutarch*, do not so much desire a Whelp begot by a Dog of generous or Noble Breed, but such a Dog himself; so good Statesmen will not chuse a man who is to be a Prince, but one who is a Prince already. To this may be added, that the Parents of such Children upon hope of such Election, and lest they be rejected by the People, will have especial care of their Education. But to prove the matter in hand, that the Kings of the *Franks* were Elected they produce these Testimonies. First from *Aimoinus* they alledge these words: * *The* Franks, *according to the custome of other Nations chusing a King, advance* Faramund *to the Throne*; again, † *The* Franks *establish a certain Clerk* Daniel *by Name, his hair now growing, in the*

The Government Monarchical.

* *In libello de moribus Germanorum Reges ex nobilitate, Duces ex virtute sumunt.*

† *Insignis nobilitas, aut magna patrum merita principis dignationem etiam adolescentulis assignant.*

‖ *In Sylla.*

* *Lib.* 1. *c.* 4.

eligentes Faramundum solio sublimant regio. † *Lib.* 4. *c.* 51. *Franci Danielem quendam Clericum, cæsarie Capitis crescente in regnum stabiliunt, atque Chilpericum nuncupant, Lib.* 4. *c.* 67.

Regem, cæteratum more Nationum, Franci sibi

Kingdom,

Sect. 4. *Kingdom, and name him* Chilperick. Out of another place, *King* Pipin *being Dead his Sons* Charles *and* Carloman *by consent of all the* Franks *are made Kings*; and out of another, *Pipin being Dead, the* Franks *in a solemn meeting, make both his Sons their Kings, on that condition that they should part the Kingdom equally betwixt them.* So much out of *Aimoinus*, according to what we have formerly written upon these occasions.

96. The like Testimonies they produce out of *Gregorius Turonensis*, as where he writes, *that the* Franks *having rejected* Childerick, *unanimously make choice of* Egidius, *and then the* Franks *who formerly had an Eye to* Childebert *the Elder, send a message to* Sigebert *that in case he would come, they would desert* Chilperick *and make him King.* A little after he adds *all the Army came unto him, and setting him upon a Shield made him their King.* In another place, *Sigebert consenting to the* Franks, *and being according to the custome of the Nation put upon a Shield was ordained King, and obtained the Kingdom of his Brother* Chilperick. To strengthen these Testimonies, they produce the last will of *Charles* the Great, published by *John Nauclerus* and *Henry Mutius*, out of which they urge this passage. *In case any of these my three Sons have a Son, to him whom the People shall make choice of, we will that his Uncles consent that he succeed in his Father's Inheritance, and permit their Brother's Son to Reign in the portion of his Father's Kingdom.* All this they enforce by what *Regino* hath written concerning this same *Charles*, his Disposition of his Dominions to his three Sons while he yet lived; namely that, *He held a Consultation with the Nobility of the* Franks, *concerning the partition of his Kingdom amongst his Sons; and a Division being made into three parts, of this he made his Testament, which was confirmed by the Oaths of the* Franks. Lastly, *Eginhart* relates in his Life that *sending for* Lodovick *the King of Aquitain, who onely remained of the Sons of* Hildegardis, *in a solemn Assembly of the Nobility, met from all parts of the Kingdom of the* Franks *by advice of them all, he made him his Collegue or Partner in the Kingdom.* *Francis Hotoman* in his * *Franco Gallia* produceth many more examples, but respecting the times later than those whereof we write, they are not so proper for our Cognisance and Disquisition.

Lib. 2. c. 12. Franci ejecti Childerico, Egidium sibi unanimiter adjeciscunt. Lib. 4. c. 51.

Chron. l. 2.

** Libellus statum veteris Reip. Gallicæ, tum deinde à Francis occupatæ, describens. Editio Secunda ex Officina Hieronymi Bertulphi. 1574.*

97. *Hotoman* having in his *Franco Gallia* published this amongst other Doctrines, at such time as in the Civil Wars in *France* he had sided with that Party which took Arms against the King, and had withdrawn himself out of the Kingdom, a * great Alarm was taken by his Adversaries, and the Book looked upon and that not undeservedly as a thing contrived, and designed for no other end than to overturn the Government, by infusing such Notions into the Heads of the People. *Papirius Massonus* wrote his Censure upon it, but the intire † answering of it was referred to *Anthony Matharell*, the chief Procurer or Attorny of *Catharine de Medicis* the Queen Mother, who deserves Commendations for the great Loyalty or Zeal he shews for his Prince and Countrey, and however in some particulars he may come short of *Hotoman* both in Judgment and Learning, being transported with Zeal and opposing every thing almost because the other affirms it, as jealous that it was written out of Design, yet hath generally the better of him both in his Cause and the Proofs he brings to Establish it. He denies that from any of these Instances, it can be proved that the Kingdom of the *Franks* in *Gall* was *Elective*. To that of the Promotion of *Pharamond* he answers, that the words are to be taken as meant of Inauguration, and not of Election, or if they be it forces not much, for he might be chosen, because the former Race of the Kings had failed. But after him Reigned his Son *Clodio*, who dying without issue Male, *Meroneus* his Kinsman was King not by Election, but Succession, for *Aimoinus* writes, that he took the Government of the *Franks* upon him. After him Reigned his Son *Childerick* to whom by right of Inheritance succeeded his Son *Clodonæus* the first Christian King, who being Dead, his four Sons *Theodorick, Clodomir, Childebert* and *Clotair*, equally parted his Kingdom amongst them to use the words of *Aimoinus* * who, he tells *Hotoman*, four times Condemns him for lying.

In Scaligerana nuper Editis hæc invenimus in litera H. Hotomani Franco Gallia ejus ingenio, & de Regum creandorum more: quam quæstionem movet ille, non ut historiam nobis aperiat, sed ut Franco gallicam satis festis ambus agitatam funditus evertat.

† Ad Franc. Hotomani Franco-gallicam Antonii Matharelli Regiæ Matris à rebus procuratoris primarii, Responsio. Lutetiæ ex Officina Federici Morelli Typographi Regii, 1576. Cum Privilegio.

** Regnum interse æqua lance dividunt ut verbis Aimoini utarquè ie jam Hotomane quater vilegio.*

And yet Hereditary not Elective.

98. Of these *Childebert* dying without issue, *Clotair* Reigned alone, who also as the same Authour testifies, left four Sons the Heirs of his Kingdom, *viz. Cherebet, Guntran, Chilperick* and *Sigebert*, the Posterity of whom inherited as their Ancestours had done before them. As for *Daniel* the Clerk, who was by the *Franks* chosen King, his Hair being suffered to grow, and named *Chilperick*, he takes notice, and Complains

Complains that *Hotoman* should sweat so much to establish a lie. He tells him a Lawyer (such *Hotoman* was, and that a great one) ought to consider that Laws are fitted and framed to such things as frequently happen, and not such as fall out very seldom; for from *Pharamond* whom he calls the first King of the *Franks* to this *Daniel* the Clerk passed three hundred years, in which space of time the Kingdom was devolved not by Election, but Inheritance. And by this Election of *Daniel* and such like, he puts him in mind that he never considers how that not succession it self, but the successours were Condemned; forasmuch as good Princes may have very bad Heirs, and yet the Succession and Inheritance be just and good. It happened that the last three or four of the Family of *Meroneus* were lazy and Drones, and stupid, which gave occasion to *Charles Martel* with ease, though he himself be said to have refused the Crown, to transfer the Government upon his Children. They being not of the Royal Family, this was effected partly by force, and partly by consent, of those whom they had obliged by many good Offices, and *Pipin* by means of *Zachary* the *Roman* Bishop, obtained to be Crowned and anointed King; as his two Sons *Charles* and *Carloman* were by the Hands of *Stephen* who was then in Exile, which thing he accuses *Hotoman* for omitting and making mention onely of the consent of the People, as desiring to make out his Election from that place of *Aimoinus*, which place yet he affirms, makes nothing for his Lie and figment as may be evident to any that's half blind. Sect. 4.

99. As neither doth the Testament of *Charles the Great*, by which it's certain he made *Ludovicus Pius* King of *Franco-gallia*, *Bernard* his Nephew being made King of *Italy*, as is clear from the Testimony of *Nauclerus*. This is farther confirmed from what *Aimoinus* writes of this very Subject, that *Lodovick* being in *Aquitain*, when News was brought him of his Father's Death, came to *Aix*, and there by Consent and good liking of all the *Franks* he succeeded him, where the word Consent can by no means be referred to Election, but signifies the wishes, expectation, and desire of all the People. In like manner the Heirs being pacified, which were risen betwixt *Pius* and his Sons, to the great detriment of *Francogallia*, and which produced an horrid Example, the Kingdom was divided by *Pius* amongst his Sons, as *Aimoinus* farther witnesseth, and not by the Election of the People, so great a truth is it, that not onely in the times of the *Meroningi*, but the *Caroloingi* also, the Sons succeeded their Fathers in the Kingdom. But as all humane things are instable and mutable, and nothing can last always, in like manner as the *Meroningi* when they degenerated were deprived of their Power, and their Authority transferred upon the Family of *Pipin*; so by a certain vicissitude, and the secret Judgment of God, the *Carloningi* behaving themselves no less idly and luxuriously, it passed from them to *Hugh Capet*, either as a Punishment of their first perfidiousness and Rebellion, or because the Sons of *Pius* had so impiously demeaned themselves toward their Father, for God punishes Sons for their Disobedience to their Parents, though it may come late.

**Dissertissimi Hotomanus Franco-Gallia hæreditate ansfragiis deferentur, & de Regum creandorum*

100. That which *Hotoman* cites from *Gregory Turonensis*, concerning *Childerick* the Father of *Clodonæus* his being expelled by his Subjects, no way proves that the Kings in those times were made by Election, it being one thing to depose and expell, another thing to Elect a King. He upbraids him for instancing in a Pagan Prince, and in the endeavour of *Sigebert* for expelling *Chilperick* out of *France*, a thing rather to be Buried in silence, than revealed to the People. He tells him that *Sigebert* was sent to, and provoked by such like wicked persons as himself, neither was it a wonder if having despised the Council of *Saint German* the Bishop, he came to such a Tragical end, and was punished for his Infidelity, as *Hotoman* had seen from that place of *Turonensis*, yet shamed not to produce it. As for what *Hotoman* affirms that *Sigebert* consenting to the *Franks* was made King, and obtained the Kingdom of his Brother *Chilperick*, it's repugnant to what is written by *Turonensis* in the place that's cited. For there he affirms, that *Sigebert* despising the advice of St. *German*, and being come to the Village *Victoriacum*, all the Army assembled before him, by which he was put upon a Target and saluted King; then two young men with sharp Knives ran him into each side, whereupon he crying out fell down, and shortly after expired, and together with him *Charegisilus* his Chamberlain. "Thou hast here the reward of Perfidiousness and Treachery, and what happened "to one that gaped after another Man's Kingdom, and thou perhaps, says he, ap"provest it, and saist it is lawfull by the Law of the *Franks*. By this the Reader may see what to judge of the rest. Neither is that of any moment that we often find in *Turonensis*, *Ado*, *Aimoinus* and others, how the *Franks* were wont when re-

Sect. 4. solved to have such a King, to raise him, to lift him up on high, to set him upon a Target, and the like; for all these Expressions signifie onely Inauguration, and not Election. Upon such an occasion the Nobility was wont to meet, to salute the new King, and swear Fealty and Obedience to him, which custome yet continues, as may be gathered from the said Authours, which yet it's certain do not in the least argue an Election. To this may be added the Testimony of Foreigners; particularly of *George Cedrenus*, the Greek Historiographer, who in his *Compendium* of History writes: 'It's reported that the King of *France*, according to custome, 'receives his Kingdom by Succession from his Ancestours. So much *Matharell* in his Answer to *Hotoman*, besides much other opprobrious and reviling Language.

101. But though to an indifferent Person, his Language would make his cause suspected, yet in this point he really hath the advantage. For the Instances of *Faramond* and *Pipin* conclude nothing, but in an extraordinary Case, neither do those of *Daniel* the Clerk, of *Ægidius*, or any other produced out of the Histories of the *Meroningi*; and we are taught by *Julian* the Lawyer, that things extraordinary, or which rarely happen, are not easily to be reckoned of, or esteemed to conclude any thing in question. The *Franks*, like as their Kings, were a fierce and untamed People for a long time; and if they some time depos'd lawfull Princes, and set up others in their Rooms, it was not so much as has been practised in other Kingdoms, not to go far off; where yet there is no such thing as Election, and the Succession by right of Inheritance has ever been out of doubt. The calling of the Estates together, and having their Consents was a matter of Prudence, as elsewhere it is a thing of Course, that the Nobility be present at Inaugurations, to have them swear to defend that Crown on which they lay their hands, nay to have the People asked, whether they will have such an one for their King; and yet none can have the Face to say that the Kingdom is Elective. These Ceremonies were used at the entrance of the Kings of the *Franks* upon the Government, and thence at their Inauguration the People were said to make them Kings, and yet they did it no more than those who now proclaim or Crown our modern Princes. Whatever the posture of Affairs and Convenience might suggest to *Charles* the Great, in ordaining that such a Grandson should be King as the People should chuse, he never designed to put it into the power of the People to chuse any whom they pleased, or one out of his own Family; or to imitate herein the Custome of the *Germans* mentioned by *Tacitus*, that Sons of Kings should but be first considered. For whoever seriously weighs that long and uninterrupted Possession of the Sovereign power, by the Family of *Meroneus*; and that wonderfull Zeal all the *Franks* had for it, which affrighted the Majors of the Palace from assuming the Title, will easily perceive it never entred into their thoughts, from the time of *Childerick* to make any Innovation, nay they esteemed it a point of great Wickedness to think of any other House or Lineage, till *Martel* and his Sons had so far insinuated themselves into the power, that they were forced to make a Virtue of necessity, and forsake those who were neither in a Capacity to help themselves nor them. We shall dismiss this Point as *Matharell* hath done it with the clear Testimony of another Foreigner, more to the purpose than that of *Cedrenus*, who was not born till about two hundred Years after the Death of *Charles* the Great. This is *Agathias*, who wrote more than so many Years before *Charles* was born, and therefore his Testimony is more direct to the times, whereof we write. He testifies that it was the Custome or Law amongst the *Franks*, for the Sons to succeed their Fathers in the Kingdom, or rather to receive it from them as by Descent.

Ea quæ rarò accidunt, non temerè in agendis rebus comparantur D. de diversis Regulis juris, l. 64.

Non temerè id est non facilè: Quod etiam apud bonos Authores in hac significatione reperitur. Sic enim Quintilianus: Illud ingeniorum præcox genus non temerè, id est, non facilè ungnam ad frugem pervenit, vide Bronchorst. in locum. Corona Ostentat Regem, non facit.

Long Hair very much worn, especially by their Kings.

102. From the same Authour, and several others we may observe, that such Males as were of the Royal Family were not wont to cut their Hair, but have it lye dis-sheveled about their Shoulders, being perfumed with sweet Ointments, as a Mark of distinction betwixt them, and the Inferiour sort. This admits of no dispute, but is accorded on all hands, and the Reader may be satisfied by the Course of the preceding History, as also in this, that such as were to be deprived of the Kingdom, or of the Succession, had their Locks cut off, a thing which *Clodonald* or St. *Clou* practised upon himself, when he resolved to forsake the World and enter into Orders. The Custome of wearing long Hair, they brought * with them into *Gall*, where it had also been long † practised, insomuch that part of it, hence got the Name of *Gallia Comata*, as any one meanly Conversant in Antiquity, cannot

* *Ex Chaucis seu Chycis orti sunt Franci. Lucanus autem:*

Et vos Crinigeros bellis arcere Chycos
Oppositi, petitis Romam, &c.

† *Claudianus verò lib. 2. in Ruffin.*

Inde truces flavo Comitantur vertice Galli,
Quos Rhodanus velox, Araris quos tardior ambit.

but

but observe. Afterward the use was confined to the Bloud of the Kings, who as some observe, from what *Dagobert* did in the Battel with *Bertoald* the *Saxon* Captain, were wont in fight to tye up their Hair and lay it upon their Helmet, as a Creast and a farther Mark of distinction. Hence it came to pass, that some Foreigners who bore them no Good-will, gave the Kings of the *Franks* the opprobrious Epithete of *Setati* or *Bristled*, and whereas the *Setæ*, or strong and upright Hairs, or Bristles are common, not onely to *Lions*, *Horses* and the like, but to *Hogs* also; thence came the Fable, that on their Back-bone, the *Rachis* or *Spina Dorsi* they had Hairs growing, as hath that kind of Creature. A passage which we learn from the History of * *Cedrenus*.

Sect. 4.

* Ἐκέκτηντο δὲ οἱ ἐκ τοῦ γένους βασιλεῖς τὴν κεφαλὴν κουρὰν κειρόμενοι, ἀέρμασι δὲ καὶ μύροις πολλοῖς χρώμενοι. Ἔνθεν δὴ καὶ ὁ βασιλεὺς αὐτῶν τείχεσι ἐνευκυάνας, ὡς φασιν.

103. But we leave this Mark of the Bloud Royal, as a thing not so considerable, and come to the Signs and Tokens of the Royal Prerogative, a thing much Bandied betwixt our two Antagonists, but with more Partiality and design, than evidence of Truth, more flourishes, and Digressions than real Arguments, like the *Andabatæ* we reade of, so much are they, or rather is the matter in the dark. Yet if we may judge of the Conclusion by the Premisses, and of the Superstructure by the Foundation, *Hotoman*'s Fabrick and Model of Government cannot subsist; for he makes the Sovereign power to have lain in the People, to whom he ascribes Authority, both of electing and deposing Kings at their Pleasure, a thing he supposes for weak Reasons, and to be exploded upon that account, we have already given unto the Reader. He confounds the Forms of ancient Governments, making those the same which were far different, commends the Extravagant Liberty, the *Ephori* usurped over the Kings of *Sparta*, whom yet he can never prove to have had any hand in Election, it being notoriously known to every Novice almost, that the Kingdom of *Lacedæmon* was Hereditary. Instead of a Government, he would assert a Medley of Power, which would never hang together, never thinking he can lessen the Royal Power enough, and not considering that a Prince may have as well too little, as too much, to protect himself and his People, and keep all from running into Confusion. The truth is, he would allow the Kings of the *Franks* no more than what the later *Meroningians* enjoyed under the Licentious and Extravagant Actings of the Majors of the Palace; but as to matter of Fact, to prove it was so, he is not able, and therefore flyes out, and keeps nothing close to the matter in question. True Royalty, or a Prerogative above the Insolence of the Rabble, he accounts Tyranny, commending that Form of Authority, he cites out of *Cæsar*, that amongst the ancient *Galls*, before they were Conquered by the *Romans*: The People had as great Authority over the Petty and Nominal Kings, as these shadows of Royalty had over the People.

104. Then gives he you three special Notes, or Marks of Tyranny; whereof the first is a forced Command over Subjects, when they submit to them unwillingly, and merely by Constraint; the second is, when they keep a Guard of Foreigners about their Persons; and the last, when the Profit and Welfare of the People are not considered, but the *Emolument* and Arbitrary will of him that Reigns. By these, as so many Touch-stones he tries the Government, to see if it be true and Natural, or to discover the Sophistication, as he accounts it, which the Lust and Ambition of some Men hath made. For the first he concludes, the Authority of the Kings of the *Franks* was not forced, or by constraint, because the People had Sovereign power in chusing and rejecting them at their Pleasure. As to the second worthy and infallible Mark, he will undertake to prove out of *Gregory Turonensis* and *Aimoinus*, though he doth not doe it, that these Kings used no Guards about their Persons: And for the third he has a sufficient Argument to the contrary, that Matters were not ordered according to their Arbitrary Will, but for the good of the People, because the chief Administration of this *Franco Gallick* Kingdom was in the publick and solemn Council of the Nation, which later Ages have called a Convention or Assembly of the three Estates.

105. To defer a little the matter of Fact, as to the Kings of the *Franks*, and omit *Matharell*'s reply as too dilute, it will not be amiss to try the Infallibility of these his Marks, and to compare them with his other Principles. The first either may be, or not be, and yet the Government may be exceeding good. For sometimes the Commands of a Prince may be very reasonable, his Maximes highly just, his Designs tend as well toward the defence of their Liberties, as his own Prerogative, and yet the People, or rather the prevalent Faction may not understand it: A matter which a very mean Historian may make evident by many particulars. Or the other side it hath been found, that Monarchs who (to speak to his Principles)

Sect. 4. neither could be elected by the People, nor (justly, and according to the Model of the Government of the Land) could be deposed, have Reigned over the Subjects without any forced Command, any other (for the main) than to which without constraint or unwillingness they have submitted. In this respect there are Nations, the Laws of which consented to, or made by the People, both are against Election and Deposition; and yet say the King can doe no wrong, acting according to the said Laws, and Constitutions of these Kingdoms. The second, or that of a foreign Guard is trivial; for most of these Usurpers we meet with in story, have seized on the Power, and maintained themselves in it, by standing Guards of their own Nations. And as to the work of this Touch-stone, scarcely is there at this present, any one Monarch or Sovereign Prince Elective or not Elective, who hath not these Protectours of his Person about him; a thing not denied to Vice-Roys, and very Generals of Armies. For the last we must say, it is a certain Mark of a Tyrant (though the Government according to Law established, may not be Tyranny) when he acts all things according to his mere Lust and Will, not considering the advantage, or disadvantage of his People. But must needs every Prince, who is not merely Nominal as he would have him, and to be set up and kicked down at the Will and Pleasure of the unconstant multitude, needs act all things in this manner? No, a Prince may have as well too little as too much Power, to Protect himself and his Subjects from the violence of unreasonable Men, and we may say, that without flattery to such Princes, there both have been and are, who are neither Elected, neither can be deposed by the People, but succeed by Inheritance, as proceeding from the Loins of their Ancestours, who do not make their Lust a Law, but propound the Good and Welfare of the People generally to themselves in their Actings. When any otherwise disposed do happen, the Men, not the Government is to be blamed; forasmuch as Accidents, and such things as do rarely fall out, are not to be reckoned on in such Cases.

106. Therefore as to the matter of Fact, we answer, that the ancient Kings of the *Franks* were not Elective but Hereditary, and yet their People willingly submitted to them, not forced, nor by Constraint and Terrour. The Rules and Methods of their Government, were such as the People approved, and generally they observed, and kept close to them; when they did not, they blamed the Men, as we find, not the Ordinances and Customs of the Realm, as knowing that there will be Persons of several Humours; and not any one Course of Administration can be found out, which will have no Inconveniences attending it. His design to Tax the Custome of the Modern *French* Kings, in having a few *Scots* and *Swisses* for their Guards, is extremely ridiculous. What grand Feats of Tyranny could they atchieve in so great a Kingdom against such multitudes, by so small and inconsiderable a number? *Hotoman* had read how *Pisistratus*, *Agathocles* and other Tyrants of petty Cities or petty States, got some Troops of *Satellites* about them, sufficient indeed, to awe and terrifie their fellow Citizens; and thence he presently concludes, that where a few Souldiers Watch and Guard a Kings Person, though by reason of the smallness of their number, they cannot be fit for any considerable Attempt; yet they are a manifest sign of Bondage and Tyranny. But the ancient Kings of the *Franks*, however he be so positive in affirming the contrary, were not without their Guards about them, no more than the Consuls of *Rome* (not to speak of the Dictatours or Emperours, for these perhaps with him were Tyrants) nor the lesser sorts of Magistrates, who had their Lictours with bundles of Rods and Hatchets. From *Gregory Turonensis* the very Authour, he would wrest to his purpose (but very inconsequently and ridiculously, as if because a King doubles his Guards upon some imminent danger, he never had Guards before) it is evident, that *Clodonæus* had these *Satellites* and Guards about him: And if he, why not his Successours in the Throne, upon the same Account; for the same Reasons? That *Clodonæus* used such *Satellites Matharell* doth well observe, to which we shall add this Observation farther, that those whom *Gregory* calleth *Satellites* a little before in the same Chapter, he nameth *Pueri*, this word by Writers of these times, being used to express such kind of Attendants in general, who were usually chosen out of young Men now called *Pueri*, in like manner, as when the *Roman* Tongue decayed, *Infans* came not onely to signifie a young Child, but a Son in general, though grown to Maturity, as at this day do *Enfans* and *Infante* in the *French* and *Italian* Tongues, and *Infante* a Kings Son in *Spain* and *Portugal*, as *Infanta* a Kings Daughter of any Age in both these Kingdoms. Now if *Pueri* and *Satellites*, when applicable to the Attendants about these Kings were the same, let any one who hath been

Quod Satellites audientes & Deo gratias agentes, Greg. l. 2. c. 37.

Maturantibus autem pueris & ad locum accedentibus, &c.

been Conversant in that Authour, but consider how many times he speaks of these *Pueri*, and consequently of the Guards about their Persons. Sect. 4.

107. As for *Hotoman's* third and last Mark, we close with him, that the ancient Kings of the *Franks* ruled not merely according to their Wills and Appetites; but we must needs differ from him, about the evidence or the reason of this our apprehension. For what we can gather from the ancient and faithfull Historians, we must say the bounds that were set to their Wills, were set by their Consciences, and their Consciences were regulated by the good Laws and Customs of their Countrey, which directed them in the Management of Affairs, but never awed them by the Terrour of Deposing, nor by any Punctive or Coercive power, the People ought to exercise over their Persons and Authority. But he is quite of another Opinion, he believes they did not rule merely after their own Wills and Appetites, because they could not doe it, that they did not bite because they had no Teeth, did not push because they had no Horns, at least but very short ones; forasmuch as they could doe nothing of Consequence, nothing amounting to Empire and Sovereignty, but all this was to be transacted by the Convention of Estates, which he tells you every Year, met on the first of *May*. Here he admires the Wisedom of his Ancestours, and from this Rapture falls to an Enumeration of such things as were handled and determined by the Sacrosanct Authority of this publick Council, as he words it. These were no less, you must know, than electing or deposing a King, which he is never weary of inculcating, determining about Peace or War, making Laws, bestowing the greatest Commands, Honours and Government, providing Patrimony for the Sons of the deceased Kings, and Portions for their Daughters, which by a *German* word they called *Abannagium* as an exclusory Part; in sum, here were determined all those things they vulgarly call matters of State, because nothing that related intimately to the State or Commonwealth could legally be done any where, but in this Council. If the Case stood thus, the Kings were indeed but Idols of Wax or Puppets, which moved their Lips, Eyes and Hands, according as they had motion given them. But the boldness of his Assertion, quite over Balances the weight and Efficacy of his Arguments.

108. Indeed his Reasons to speak indifferently are very frivolous. The making and marring of Kings, he strengthens by one other Testimony out of *Aimoinus*; but one so ridiculous, that we shame for him to produce it. This is, that *Charles* the *Bald* in a general Assembly held at *Carisiacum* or *Cressy*, girt his Son *Charles* with a Sword, and setting a Royal Crown on his Head, gave to him *Neustria*, and to *Pipin Aquitain*. A fit evidence to be joyned to those he formerly made use of. A King is Crowned in a great Assembly of Nobles, and the common sort, therefore the People elect him, and bestow the Crown upon him, as their own Gift. It seems *Charles* their Father was the Oratour or Speaker of the Assembly, and how can you chuse but believe that after a great debate, the Question was put, and it was carried in the affirmative, that their said Speaker *Charles* (who possibly had no Vote, neither as our Chancellours and Keepers have not in the House of Lords, when they are not Peers themselves) should in their Name, and by Virtue of their Command, as their Minister solemnly invest them in their Royal Offices, which should be but Conditional neither, held during Pleasure, or at farthest, so long as they should well demean themselves therein, that is till this multitude should say they did otherwise, for who I pray must Contradict them, if they affirmed a Wart to be an Horn? Almost as weak is the next that follows, about the said *Charles*, how going to *Rome*, he held a general Assembly on the first of *June* at *Compendium* or *Compeigne*, where he ordained in certain *Capitula*, or Heads, after what manner his Son *Lodowick*, with those were trusty to him and the Nobility of the Land, should govern the Kingdom till his return. This he calls *Insigne Testimonium*, concerning the power of this Council, in disposing of the Kingdom; and judge, Reader what it amounts to. It is not said, that they ordain in his Presence, or together with him, but in the singular number: He ordains, using their Councils and Direction. But he subjoyns, that the Nobility finding *Charles* the Simple, by reason of his young Years uncapable to Govern, chose *Odo* his Protectour or Guardian. Another wonderfull Testimony of the Peoples power in disposing the Kingdom. If he was not able to Govern, some must; they offered not to depose him, and Elect another in his place. A Guardian he wanted; and he had not Judgement and Discretion enough to chuse one himself; in such a Case of necessity therefore why might not they doe it for him?

Lib. 5. c. 17. Hic facile monstravit Ingulfus eli Historianus, locus enim Aimoini est de Ludovico Imp. qui filium suum Carolum in hoc conventu armis nihilibus id. est Ense cinxit.

109.

Sect. 4. 109. As worthily doth our Authour discharge himself, in reference to the second thing, wherein he asserts the supreme Power of this Council, and that is in the point of making Laws. Would not the Reader expect some such Proofs as these. The Council by its own Authority enacted such and such things, such Laws were made by the Council, the King not being at all considered therein, being unwilling, absent or the like; these were some Foundations for such high Confidence and Presumption. But what think you is his Evidence? a certain place in *Gagainus*, which hath these words concerning St. *Lewes*, and you must mind them well. *Lewes* being come to *Paris*, and having assembled a general Convention, reformed the Commonwealth, excellent Laws being made concerning the distribution of Justice by the Judges, prohibiting the Sale of Offices with other matters. Behold here *Lewes* reformed the Commonwealth, how? By making Laws; for though it be said, *Statutis optimis Legibus*, absolutely without a restriction to his Person, yet it's said, *Habito generali Conventu*, now who called and assembled the Meeting but himself? That in such Meetings there used to be debated the making of Laws is most Evident, even in later times, when the Government was grown more highly Monarchical, as in *Francis* the First, and *Francis* the Second's time, little more than one hundred Years since, such a Design was set on Foot in the time of *Francis* the second, and completed at *Orleance*, in the beginning of the Reign of *Charles* the Ninth, in a full Assembly of the Nobility, Ecclesiasticks and inferiour sort of Men, the product of which was a Book of Laws published the same Year; which work was renewed by the said *Charles* several times after. But to say, that all the Power and Authority of making Laws remained with the Estates without the King is most absurd. Certainly it's one thing for a matter to be Transacted or done in an Assembly, by its Council and Direction, another to be enacted and ordained by the sole Virtue and Authority of such a Meeting.

Cum Parisiis Ludovicus revocasset Conventu generali habito, Rempub reformavit, statutis optimis Legibus & jure à Judicibus dicendo, & de Officiis non emendis, &c.

A. D. 1560.

A. D. 1566. & 1572.

110. If in any Authour, he can but find after his diligent search any impudent Act, any Seditious and unlawfull Attempt, any Violence and Usurpation committed by the People, or a party of the Nobility, he hath both the Logick and the Modesty to argue from the Fact, to the Right and Authority of the Actours; with as good reason as from the Robberies of the *Banditi*, and the force they many times put upon the Inhabitants of the Countrey, he may conclude they have a Title to the Territories, and a Legitimate Sovereignty over those Persons, which are the Subjects of their Rapines. Because *Charles* the *Bald* had discontented some of the Great ones, about the disposing of Offices and Preferments, that is, had not preferred themselves, they met together, they entred into a Conspiracy against *Lodowick* his Son, who was to succeed, but after some Messages, sent to and fro they agreed, and he was Consecrated and Crowned by the Consent of all, as well Abbats and Bishops, as the Nobility of the Kingdom. That they mutined it appears, but that they themselves had right to dispose of Preferments appeareth no where. Neither can *Hotoman* conclude any thing we hope from this place, that they Elected him King, the words being that by their Consent he was Consecrated and Crowned, and that they sware fealty to him. He received the Kingdom from his Father, concerning whom there is a passage in this very place he quotes, which *Hotoman* would not mention, and therefore we shall doe it for him. Before the Agreement fully concluded, and the Coronation, *Richildis* came to *Lodowick* to *Compeigne*, and thither brought him the Precept, whereby his Father before he died, had delivered up the Kingdom to him, together with the Sword of St. *Peter* as they called it, whereby he invested him in the Kingdom, and a Royal Robe, a Crown and Staff, or Sceptre, of Gold and pretious Stones: His Father it seems thought he could herewith invest him in the Kingdom before any Ceremony passed from the People. As much to his purpose, is what he cites out of the Appendix to the Historie of *Gregory* concerning *Clotair*, his referring it to the Estates of *Burgundy*, to chuse a Major of the Palace to succeed *Warnhar*. The Reader may remember, that the *Burgundians* had of their own accord shaken off the Yoke of *Brunichild*, and revolted to *Clothair*. In way of Gratitude, and to bind them to him he grants them this Privilege, and passeth this Complement, which had they had a Right to chuse, it would have behoved them not to wave it; but they desired to be excused, chusing rather to live under his immediate Government, without such an intervenient Minister.

Aimoinus, lib. 5. c. 36.

Attulit ei Preceptum per quod Pater suus illi Regnum ante mortem suam tradiderat: & Spatham quæ vocatur sancti Petri, per quam eum de Regni investitet: sed & regium vestimentum & coronam ac fustem ex auro & gemmis. c. 54.

111. As little wonder is it, that in times of Contentions and Factions, those that thought the Estates would be on their side, should refer the matter in question to the Determination of this Council, as *Clothair* did knowing *Brunichild* to be mortally

mortally hated by all the Nobility. Neither can we blame *Charles the Great*, if to secure to his Sons those shares of the Empire he had designed them, he should require the advice and consent of the Estates, as that which would oblige them to Obey such as they had received to be their Kings, and as a means to keep his Sons in Order, and hinder them from incroaching one upon another. From that single example of *Clothair*, whereby to shun Odium, and the thought of Malice and Revenge, he referred the case of *Brunechild* to the Army and Nobility, (which he calls by the Name of this Council,) he fairly draws this General Conclusion; that it was a Custome, if any Prince or great Person was accused of a Crime, to be arraigned before this Assembly. And from all put together, that the whole Government lay in this Assembly, which was called *Placitum*, because after the custome of the Latine Tongue that was properly so called, which after much deliberation was setled and agreed upon, as for Example, in *Cicero* and other ancient Writers we meet with *Placita Philosophorum*. Hence he inforces that Conjecture which he had made in other Books he had formerly Written, that the common Form used by the King's Clerks at the end of Laws and Edicts, *viz. Quia tale est Placitum nostrum*, had its Original from this *Placitum* whereof we speak. This being written in Latine, (as he conjectures it appears from *Aimoinus*, the Capitulary of *Charles* the Great and other Monuments;) these Clerks or Scribes coming to use the Speech of the Countrey, by ignorance, or rather through an evil purpose turned it into this Expression: *Car tel est nostre Plaisir*, *For such is our Pleasure.* That which confirms him in his Opinion is this. The People was interrogated concerning the *Capitula* or Heads to be added to the Laws, and after they had consented, they confirmed them by Subscriptions. Hence it appears, that the People were bound to no Laws but what they made themselves. Lastly, he observes again from one single Testimony and instance and no more, that Foreign Princes were wont to refer their Controversies to the Cognisance and Determination of this Council, so great was its Fame and Authority. Sect. 4.

Vide Appendic. ad Gregorii Turon. Hist. c. 37.

112. So great a Noise he made, for Noise it is consisting of words, which conclude nothing of that his Assertion, that the supreme Administration of affairs lay in this Assembly, which they did indeed call by the Name of *Placitum*. But as *Matharell* very well excepts against him, there's no need that the ordinary Form *Cartel est nostre plaisir* now used, should at all be derived from this *Placitum*, but from the ancient custome of *Roman* Emperours, Kings and Popes who generally used such an Expression at the end of their Edicts, to take away all doubt and Ambiguity. *Justinian* hath this expression at the close of his Constitutions. *Quæ igitur placuerunt Nobis tua sublimitas operi effectuique dare festinet*; some times this: *Quæ à Nobis disposita sunt*, or *Quæ igitur præclare Nobis & Religioni placuerunt*; but *Quæ placuerunt Nobis* most commonly. Nay it's to be hoped so great a Lawyer as he could not affirm, that the Emperours of *Rome* held such *Placita* wherein lay the supreme Administration, and without which they could neither make Laws, nor doe any thing else. But so great is his Design and *Studium Partium* in this matter, that one cannot but with admiration and disdain perceive how right or wrong he drives all things in by Head and Shoulders. Surely he had never read, or he deeply dissembles that place of *Gregory Turonensis*, where he speaks concerning *Chilperick*, who in his Edicts or Precepts sent to the Judges added this Clause; if any shall Contemn our Commands, let him be punished by pulling out his Eyes. He may answer us that this *Chilperick* was a Tyrant, or as *Gregory* calls him, the *Nero* and *Herod* of his time, and so indeed he is accounted by our Historians, but any one may see what was the reason, they were such men as he was no Friend to; he complained they had got all the Revenues, and his Exchequer was poor, and such Princes as he who have had the luck in these dark times to have their actions related and transmitted to Posterity, by no other than Religious Persons, are never well spoken of but rendred infamous, a thing which hath happened from Monkish Authours, to some Princes of our own Nation.

Constit. 2, 8, 11, 18, 19, 20, &c.

Si quis præcepta nostra Contempserit, oculorum acutissime multetur, lib. 6. c. ult.

113. But to make an end of this Controversie as it's more than time, by perusal of *Gregory Aimoinus* and others of those ancient Writers, to any unbiassed and indifferent Reader it will appear, that the *Meroningian* Kings of the *Franks* had *Jura Majestatis*. These are such as these, Power of Peace and War, to make Laws, power to raise Money, and of Life and Death. The Wars of *Clodonæus*, of *Theodorick*, and in general of all those that Conquered *Gall*, and made War in *Italy* and other Countries, nay, of *Charles Martel* who was no King, but the Prime Minister, or Majour of the Palace, sufficiently evidences this thing, for who will shew us that it

was

Sect. 4. was done by a previent Vote or decree of this General Aſſembly, except he will ſay that when this preſent *French* King for example makes war in the Low Countries, becauſe his Nobility and Gentry accompany him in the Expedition, becauſe they do not refuſe to joyn with him, but ſerve him in this Employment, therefore Peace and War are in their power, and they are the General aſſembly or *Placitum* which hath the ſupreme Adminiſtration of Affairs; for this would well ſuite the way of *Hotoman's* Arguing, to be ſure, if the King ſhould make a Speech to them at the Head of his Troops, and they applaud his purpoſe, and incourage him to the Undertaking. For the power of making Laws, the famed *Salick* Laws no man hath yet ſaid to have been framed in a *Placitum* or aſſembly of the Eſtates, but by *Wiſogaſt* and his few Companions. If the Kings could make Laws for raiſing of Money and payment of Tribute, certainly they might do it in other Caſes; *Clothair* required the third part of the Fruits of the Grounds, even to be paid by Churches. And we find that *Chilperick* laid new Taxes upon the Subject, and ſeveral ſorts of ways increaſed the former Revenues of his Crown. He is blamed for this by the Hiſtorians, and we are told it cauſed a Mutiny, but what was the reaſon, *viz.* the exceſſive burthen he laid upon the People. Every *Arepennis* or half an Acre of Land muſt pay an *Amphora* of Wine. *Gregory* tells us, if he tell true, the Impoſitions were ſo great they could not be born. The thing that offended was the quantity, not the Impoſition it ſelf, not the Authority; they do not complain that he broke the Laws of Government, that he uſurped the Power which belonged to the *Placitum* or the aſſembly of Eſtates, that he took that upon him which his Predeceſſours never challenged, and the Laws forbade, but his Impoſitions were heavy and could not be endured.

Denique Chlotharius Rex indixerat ut omnes Eccleſiæ Regni ſui tertiam partem fructuum ſuorum diſtolverent. Gregor. lib. 4. c. 1. Idem Aimoinus, lib. 2. c. 17. Statutum enim fuerat, ut poſſeſſor de propriis terris unam amborum vini per Arripennem redderet.

Sed & alia funeſtiores inſligebantur multæ tam de reliquis terris quam de mancipiis: quod impleri non poterant. Gregor. l. 5. c. 27.

114. The like is objected as to the Puniſhments inflicted by him, not that he did *punire* or take the cogniſance of the caſe to himſelf, but *injuſtè punire*, and that for to ſeize on the Goods of the Perſons condemned. Nothing is more ordinary than to meet with examples of this kind, how not onely he but all the other Kings of the *Meroningian* Family, before ſuch time as the Majors of the Palace came to uſurp the Government, took this Power of Condemning or abſolving, Puniſhing or Pardoning at their own Wills or Diſcretions. When they did without cauſe, as *Guntran*, put to Death his beſt Servant, then are they blamed, but never for taking the Authority of the thing it ſelf, of depriving men of their Lives or Eſtates, when the Parties deſerved it. The moſt wary of them conſidering what a matter of weight the Life of a Man and the ruine of a Family is, were wont to call to their aſſiſtence, their Nobility or attendants to ſift out the matter, and give their advice for a more certain and juſt way of proceeding, it being indeed a very hard and dangerous practice for one man to aſſume the Cogniſance of matters relating to Life and Death alone. So the Tryal of *Injuriоſus* about killing of a certain *Jew* his Creditour was held before King *Childebert*, and this was called *Placitum*, as indeed any meeting in General, as the Treaty betwixt *Guntran* and his Nephew *Childebert* is called by this very name. So doth *Aimoinus* uſe it to ſignifie a Colloquy or Treaty betwixt *Clodonæus* and the *Goths*, and an Enterview, Debate, or Colloquy betwixt the ſaid *Guntran* and his Nephew *Childebert*. The firſt time we meet with it in him when it ſignifies an aſſembly of the Eſtates, is when *Dagobert* ſummoned a General aſſembly together for making of his Teſtament. The cauſe was not that he could not make it himſelf without their authority, but as he tells them, that he alone might not applaud himſelf. He had already determined and reſolved what to doe, but he would have it ſigned not onely with his own Hand, but thoſe of his two Sons, whom this day faith he in ſo many words I make and ordain Kings, and by the Hands of the Biſhops alſo and Princes. Now *Hotoman* will not ſay the Subſcription of the Sons of the Kings was neceſſary, to eſtabliſh or enact a thing in the Aſſembly. Yet this he requires eſpecially and for this reaſon, that he was afraid after his Death his two Sons would endeavour to invalidate his Will. There lay his fear, therefore he conjures them to keep it inviolable, as they ſhould expect the like Duty and Obedience from their Succeſſours. No arguments, no perſwaſions doth he uſe to the Aſſembly, as having ſummoned it to give Countenance to the thing, the better to keep his Sons to their preſent promiſe and Ingagement.

Vide lib. 8. c. 35. in caſa Magnovaldis juſſu Regis interfecti. & lib. 9. c. 35. de filio Waddonis qui a Rege obtinuit rei patriæ. Vide etiam lib. 10. ejuſdem Gregorii de caſa Chuderici Saxonis qui a Rege auditis ejus improbitatibus juſſus eſt interfici.

Greg. Turon. lib. 7. c. 23.

Lib. 3. c. 57. & c. 61.

Lib. 4. c. 30. ut deſit quæ pro remedio animæ meæ agere inſtitui, non ego juſtus mihi applauderem. Conſtitui etiam fieri uno tenore exemplaria & ea manibus ſubter firmare, non tantum meis: ſed etiam filiorum meorum Sigeberti ac Hludovici, quos hodie Reges Constituo, adeſſe juſſique qui eſtis Sanctiſſimi Pontifices, nec non gentis noſtræ Principes. Pater filios Reges Conſtituit non itaque electus eſt à Populo Clodoveus vel Hlodovicus, quamvis Hiſtoricus hoc aſſirmet, quomodo vero probari poſſit ex iſtis Append. Verbis Omneſque Laudes eum in Maſſolana villa ſublimant in Regem. euge.

115. Indeed

115. Indeed before this we find in the ſame Authour mention made of a Convention of the Nobility of the *Franks*, but not by the name of *Placitum*. This *Clothair* the Son of *Chilperick* adviſed *Brunichild* to ſummon to debate the matter of Succeſſion, having held Intelligence with them, and knowing moſt certainly they would be at his Devotion, and therefore he would make them Umpires in the caſe, not that by any right and authority they were ſo, neither do we find that ſhe owned or followed his advice. Not long after this time, I am verily of the opinion that thoſe Aſſemblies began to be things of courſe. Of the yearly *Placita* or Conventions of the Eſtates in *Gregory Turonenſis* not one word is to be found, neither can it be perceived by him that the *Placita* were held of courſe, but onely as occaſion required the Kings ſummoned theſe Conventions. Towards the decay of the Monarchy they came into faſhion, when the Majors of the Palace to gain more Power, ſought to pleaſe the Nobility by referring matters to their Cogniſance, and determination. The firſt hint we have out of *Aimoinus* that they were Annual, is given upon occaſion of the *Saxons*, whom *Pipin* having brought to terms, cauſed them to ingage to preſent every year three hundred Horſes at the General meeting. *Pipin* to obtain the Crown which he ſo much longed for, omitted nothing to court the People, and having once obtained it, that it migh ſit faſt upon his Head and thoſe of his Succeſſours, thought it ſafeſt to follow ſtill on the ſame courſe. So did his Son *Charles*, to prevent Seditions during his abſence in *Saxony*, *Italy* and other places, knowing very well that he was an Emperour of the firſt, and a King but of the ſecond Head. After his Death moſt grievous Troubles aroſe, through the differences and Wars of his Poſterity, Æmulation betwixt Competitours ever producing this Effect, that People gain and the Crown loſes, while every one that contends for it, is glad to make Friends and part with one or more Flowers of it, to purchaſe a quiet Poſſeſſion of the reſt, through the favour and aſſiſtence of the Eſtates. This gave incouragement to theſe Aſſemblies, to take ſtill more upon them, and the differences, through their ſidings and bandyings, of *Charles* his Poſterity came to ſuch height as to give incouragement to *Hugh Capet* a man of another Extract to ſet up for himſelf, there being none thought worthy to Reign that remained of the *Carloningians*, who were thus puniſhed in their kind, for their Uſurpation and Revolt from the *Meroningian* Line.

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Idem ibid. c. 1.

Coegitque ut proprii servent ſe omnem voluntatem illius eſſe ſalturas & annis ſingulis honoris cauſa, ad generalem conventum equos trecentos pro munere daturos. Lib. 4. c. 64.

116. Thus did the uſe and Authority of this *Placitum* or Aſſembly of Eſtates ariſe and increaſe, through the diminution of the Royal Authority, the ambition of the Majors of the Palace, the Uſurpation of *Pipin*, and the Judgments which enſued upon his Family. But from particular extravagant and illegal actions *Hotoman* would draw general Concluſions; So weak are his Arguments, and ſo palpable his Deſign, that his Book upon a ſevere examination, can hardly eſcape the cenſure of a Libell, which Name by certain Perſons is thought moſt fit to be conferred on it, and they confirm to us the truth of what *Cujacius*, that great Lawyer paſſed upon his Works, that they do *Scutica indigere, need ſomething fit to chaſtiſe and correct them.* A very learned Lawyer indeed he was, but addicted to a Party which was too fruitfull in this kind, and about the ſame time brought forth ſeveral ſuch Brats as this, for inſtance, *Junius Brutus*, and the Treatiſe *De Jure Regni apud Scotos*, forged doubtleſs upon the ſame Anvil, though not perhaps by the ſame hands, which ſufficiently betray the extraordinary Heat and turbulent Humour of the Contrivers; what he farther Writes concerning the Majors of the Palace in part we muſt approve, and in part reject: That they came up but towards the latter end of the Reign of the *Meroningians* is certain, I mean to that Power and Dignity which they uſurped. For towards *Clodoneus* his days, who hears any thing of ſuch an Officer? and in the very Reign of *Lotharius* and *Childebert*, where have we any mention of theſe Majors, except by the bye upon occaſion of ſome other thing, for they were then but Domeſticks and Officers in the Palace?

Franci ut plurimum non Meroningorum modo, ſed & Carolingorum adhuc temporibus ſemita idiomatis ſui ad Latinitatem nonnihil inflexi indole hoc Placiendi tum Maſlum vocarunt: Hic notandum quod Dani quorum ſermo Diabeſto tantum à Theutonum idiomate differt, vocem Maul non tantum pro Convivio ut Germani & Belgæ, nos etiam Angli (nam Meal hoc ſenſu utimur) ſed pro idiomate ſine fermone quoque uſurpant. Ipſis Theutonibus Malthen erat dicere ac ſermocinari. Franci hodierni non abs re itaque Parlamentum nuncupant. Belgicum Maul & Maulidt & noſtrum Mealſmeat pro convivendi tempore ab eodem malo dimanaſſe haud ambigendum, cum ſermo & confabulatio convivii quaſi coagulum & vita ſit. Hinc quoque exiſtimat & quidem non abſque ratione Pontanus quod noſterioribus exinde poſt Carolum M. ſeculis hujuſmodi Imperialia colloquia conventuſque apud Germanos Dieta cœperint nominari.

117. Therefore do we find that their Dignity and Place was inferiour to that of a Biſhop, as appears from *Gregory Turonenſis* in the caſe of *Badechiſil*, who from a Major of the Palace was preferred to that Sacred Function, and from the ſame Authour it is evident, that not onely Kings but Queens alſo had ſuch Officers, as had *Bogundis* whom *Waddo* ſerved in this capacity. *Hotoman* obſerves out of Hiſto-

Gregor. lib. 7. c. 27.

Sect. 4. ry, that besides this they had several other Names or Titles, being called *Magistri Regii Palatii*, *Præfecti Aulæ*, *Comites*, and *Comites Domus Regiæ*. But as he is out in comparing them for the Nature of their Office to the *Præfecti Prætorio* of the *Romans*, so in this also that he makes the *Major Domus*, and the *Comes Palatii* to be the same. For *Gregory* makes mention of *Florentianus* the *Major Domus Regiæ*, *Lib. 9. c. 30.* and of *Romulfus* the *Comes Palatii*, both which were sent by King *Childebert* at the Invitation of *Meroneus* the Bishop into *Poictou*. About the time of *Clothair* the Second, they began to aspire after an extravagant Power, and the carelessness of some Princes gave them opportunity to increase it to that grandeur, at which at last it arrived. Yet were not all the Kings of the *Meroningian* Race, in general, such Sots as *Eginhart* the Chancellour of *Charles* the Great, (and from him *Sigebert*) out of flattery to his Master, and to palliate the Treason of *Pipin* would make them, witness the great things atchieved by them against the *Romans*, *Alemans*, *Goths* and other Nations before ever these Majors were heard of. As I hinted before, the Authority of the *Placitum* or General Assembly increased with theirs, as well that of the one as the other being not heard of till later times, whatever *Sigebert* Writes that once a year on the first of *May*, the Kings were wont to shew themselves to the People, to salute and be saluted by them. They found it a good expedient to preserve and increase their Power thus to cajoll the People; then *Pipin* concluded that as naturally things are preserved the same way they are obtained, it was convenient to use the same means for keeping the Crown on his Head, which he had served himself of in the setting of it on; and what in him and his Son *Charles* was highly convenient, the Dissentions and Quarrels of their Posterity did afterward render as highly necessary.

118. To understand yet more fully the Polity of the ancient *Franks*, to that of the Kings and Majors of the Palace, we must add the knowledge of the Dukes and Counts, a Subject proper to have been considered by *Hotoman* in his *Franco Gallia*, but that he could find nothing in it fit to drive on his great Design. That *Dukes* were Generals of Armies amongst the *Romans*, and afterward Commanded Forces upon the Borders, we have already sufficiently discovered. After the *Goths* had seized upon part of *Gall*, although deadly Enemies to the *Romans*, yet did they not much alter the State of the Provinces, setting after their Example Dukes over the Provinces, and Counts over the General Cities. So do we find that King *Eurick* appointed *Victorius* to be Duke over seven Cities and the *Arverni*: And about the same time we find that *Marseilles* was under the Government of a Count, mentioned by *Sidonius* upon a particular occasion. Afterwards we find *Goianius* and *Timotheus* famous upon this account, that the Breviary of *Theodosius* his Code being finished, *Alarick* sent it unto them to be made use of in Administration of Justice, as appears by the Commonitory prefixed to the Work. In like manner the *Franks* having vanquished the *Romans*, *Goths* and *Burgundians*, and become Lords of *Gall*, did not change the State and Polity of the Provinces, as they found them framed by the *Romans*. They neither abolished the use of Dukes nor Counts, left by a new posture of things they should discontent and alienate the affections of the Provincials, but on the contrary accommodated themselves to the *Roman* Customs, as both *Procopius* and *Agathias* do testifie, and thereby though Conquerours submitted to the Conquered. Neither can this seem strange, for the *Franks* serving in the Wars, and being in the *Satellitium* of Guard of the Emperours, had sufficient opportunity to make the Customes of the *Romans* familiar to them; *Ammianus*, *Lib. 15.* as we have formerly shewn, witnessing that a multitude of them flourished in the Court, and *Gregory Turonensis* confirming this to us by this passage, that *Valentinian* *Lib. 1. c. 9.* being shut up in a private House of *Vienna*, and almost reduced to the State of a private Man, the care of the *Militia* was committed to the *Franks*, who were *Satellites* or of the Guard about him.

Dukes.

Counts.

Gregor. Turon. lib. 2. c. 20.

Lib. 7. Ep. 17.

119. The *Franks* as they found so continued those of Dukes and Counts, and that from the first founding of their Kingdom in *Gall*, for *Aimoinus* makes mention of *Winomadus* a Duke under *Childerick*, and of *Aurelian* under *Clodoneus*, to whom the Kingdom of *Miliduum* was delivered. From the beginning of this Sovereignty of the *Franks*, this was the difference betwixt Dukes and Counts; that Dukes had the Command of many Cities, or of particular Provinces, whereas the Counts ruled the particular Cities or parts of Provinces. This is so evident from * *Gregory Turonensis*, that nothing can be more; and thence came it that Counts are † compared to Bishops in Dignity, and Dukes to Arch-Bishops. The Power of Dukes was larger than that of Counts, but their Office and Duty was the same for substance.

The difference betwixt Dukes and Counts in their Power, Duty and Office.

* *Confertis l. 8. c. 18. & 26. l. 9. c. 7. cum l. 5. c. 26.*

† *Walafridus Strabo de Reb. Eccles. c. 31.*

stance. Dukes had charge of matters || concerning War, and gave Order out to the Counts concerning the levying of Forces. It was incumbent upon * both Dukes and Counts, to fortifie and protect the Cities and Places under their charge. In times of Peace Dukes precided in hearing † and desiding Controversies. Thence is it that in the form of the Office of a Duke extant in *Marculfus* the Monk, it's required that such an one Govern the People committed to his trust, whether *Franks*, *Romans*, or *Burgundians*, according to the Laws and Customs of each Nation. || Dukes also took care of the yearly Tributes of the Provinces, as did the * Presidents and Governours of Provinces amongst the *Romans*. Such as answered not to the Summons to the War, the Counts † punished. In Peace also they were employed as well as Dukes in || Administration of Justice. It was their concern to have * the Province kept in quiet, to take care also of the † Tributes and publick Revenues, in which Employment they used the Ministery and assistence of their *Vicarii* or *Vicars*.

Sect. 4.

|| *Vide Gregor. l. 7. c. 7.*

* *Lib. 6. c. 41.*

† *Institutam pariter nunquam te Justice pertit. Nec poterit pretio vertere vera potens.*

Sic Fortunatus ad Badefigisum Ducem Massilia.

|| *Marculfus.*

* *Cod. de Provinc.*

† *Egypt. § 1. Bituricum quoque Comes misit pueros suos ut* [illegible] *l. 10. c. 2.*

in domo B. Martini, &c. || *Gregorium Vide, lib. 8. c. 18. & l. 10. c. 6. Eundem de miraculis Sanctorum, l. 2. c. 16. Concilium Vernense c. 23. Cabillonense Secundum, c. 21. & Triburiense, c. 9.* * *Lib. 5. c. 15.* † *Gregor. passim.*

Vicarii, Centenarii, Decani.

120. For the * *Vicarii* were their Deputies, as were also the † *Centenarii* and || *Scabinei* or *Decani*, in the lesser Towns or Villages, the Count's *Pagus*, *Place* of his Jurisdiction or County, being divided into *Vicariæ*, *Centenæ* and *Decaniæ*. Farther, let the Reader take notice these several Counties and Provinces also made up the *Missatici* or *Missatica*, which were certain Regions or Tracts, through which certain Ministers of Princes from their sending called *Missi*, were disparched abroad and distributed. From these *Missi* came the Title of *Commissarii*, and they were of several sorts. As *Missi Dominici*, who were extraordinary Commissioners, sent by the Prince into divers parts of the Kingdom for Administration of Justice. *Missi discurrentes* who were sent into the Provinces for dispatch of some particular Affair, and so called because they staid not in their *Missatica*, as did the *Missi Dominici*, but having dispatched their business, quickly returned, most like to our Justices of Assize. *Charles the Bald* distributed all his Kingdom, (except *Aquitain* which was Governed apart, and *Britannia Armorica* which had lately Rebelled,) into twelve of these Regions or *Missatici*, and in these instituted so many Colleges of *Missi Dominici*, whereof each according to the custome had one or two Bishops belonging to it, as also one Abbat and one Count, or more of each sort as the case required. For example, in the third *Missaticum* of these are these *Pagi* to be taken notice of by the Inhabitants of the Low Countries: *Noviomisus* or rather *Noviomensis*, now *Nogonnou*, *Vermandisus Vermandois*, *Adertisus Artois*, *Curtricisus Courtray*, and *Flandrensis Flandres*. Of the *Cortoriacenses* the *Notitia Imperii* maketh mention, and of *Flanders Ludovicus Pius* in the division which he made of his Kingdom amongst his Sons, and is extant in *Pithœus* his Collections.

Missi.

Vide Capitular. Caroli M. l. 2. c. 28. & Concil. Arelat. quarti, c. 22.

† *Tales etiam Tungini erant.*

Sal. leg. tit. 48. Hoc observare Convenit, ut Tunginus vel Centenarius mallum indicet. Gloss. vet. Tunginus qui pofl Comitem eli. Actus forte à Ting, quod forum Judiciale olim Germanis & nunc adhuc Danis significat.

|| *Gloss. Latina. Thiotis. Judex Scepeno. Quo hodieque vox eadem adhuc notione apud Germanos Belgásque usitata retinetur. Necalunde Francorum Eschevins deducuntur.*

121. But to return to the Counts, the cognisance of more weighty causes belonged to them, and those of the lesser to the *Vicars* and *Centenaries*. For some reason therefore are these *Vicars* of Counts and *Centenarii* compared to Parochial Presbyters, which held Baptismal Churches, and commanded the inferiour sort of Priests, by *Walafridus Strabo*. The Dignity of a Count was a step to the promotion of a Duke, which was accounted the Top or highest pitch of his Preferment.

Vide Capitular. Caroli M. l. 3. c. 79. & Sangallensem de gestis ejusd. Caroli. l. 1. c. 31. C. ult.

A Dukedom what.

That the *Ducatus* or Dukedom contained several *Comitatus* or Counties is certain, but how many is not agreed on by Learned Men. *Pithœus* reckons no fewer than twelve, as necessary to the making up of a Dukedom, and herein he follows the Annals of *Pipin*, and *Aimoinus* which inform that the said *Pipin* gave to *Griffo* his Brother after he was taken Prisoner, twelve Counties and this was according to the custome of Dukes. But others contend that the Number was varied according to the pleasure of the Prince, neither was the account of Dukedoms certain in this respect, as almost an infinite Number of places in *Gregory Turonensis*, do abundantly testifie which seldom assign more than three or four Counties to a Dukedom, and conclude nothing certain. *Bignonius* that he may not contradict *Aimoinus*, very cautiously would fix this custome of twelve Counties upon the Reign or Age of *Pipin* as peculiar to it. But *Alteserra* doubts not to affirm, that these words *Ducum more*, according to the custome of Dukes, are a Comment of the unskilfull Monk, there appearing in this Age not any one Footstep of such a Custome. Nay this same Authour acknowledges, that in the next following Age of *Ludovicus Pius*, the Dukedom of *Forum Julii* or *Friuli* was divided into four Counties. Or *Aimoinus* might be deceived by the Constitution of *Pelagius the Second*, which

1 *Advers. 8.*

Auton. Dadinus Alteserra in libro de Ducibus & Comitibus Provinciarum Galliæ.

Lib. 5. c. 15.

Sect. 4. gives ten or eleven Cities to a Province, whereupon he might think a Dukedom was to consist of so many, or one more. But he ought to have observed, that a Province was here designed, rather according to the Ecclesiastical than Civil form, and that in *Gall* the measure of Dukedoms was as has been said, in no place certain.

122. At first the Duration of the Offices of these Dukes and Counts was various, limited onely by the Will and good Pleasure of the King to a certain time. This is abundantly evident from *Gregory Turonensis*, as well as others, who has frequently these forms of Speech, *ex Duce, ex Comite, ex Vicario*, signifying those who formerly discharged such Employments; but now were superseded. It were needless to reckon up those many, which by Name we could mention to have been made Dukes and Counts of such and such particular places. In Case any one died in his Employment, the Prince appointed him his Successour whom he pleased, so *Charles* the *Bald* bestowed the Honours of *Gerard* Count of the *Biturices*, upon *Boso* the Brother of his Wife *Richildis*, and *Ludovicus Balbus* distributed the Employments of *Bernard* the Marquess of *Gothia*. The first that began to Change this Course, and to take more upon him, was *Bernard* the Duke of *Septimania*, catching hold of the opportunity presented him by the War which then raged betwixt *Lotharius* and his Brothers, *Charles* and *Lodowick*. Confident in his own strength, he sate as an indifferent Person and looker on, and then by his Son *William* recommending himself to *Charles* the *Bald* the Conquerour, required that his place and Honours he had in *Burgundy*, might be confirmed and settled on him. Afterward the Authority and Empire of the second Race, or the *Carloningi* declining, and *Charles* the simple Reigning but precariously in respect of his Age, our Provincial Dukes and Counts began to Challenge their Governments by way of Dominion and Propriety, and transmitting them to their Heirs, made the Kings *Vassi* to be their *Vassalls*.

Their Honours during Pleasure.

De Laudensi Comite Turonensis. Tu vero Ducatum tertius Regni ejus annis quinque tenebis, l. 5. c. 14. Vide etiam, l. 5. c. 7. l. 4. c. 35. &c. Vide Alteserram ubi supra, cap. 5. Continuator Aimoini, l. 5. c. 27. Idem ibid. c. 37.

123. After this manner did *Robert* succeed *Odo* his Brother in the Dukedom of the *Franks*, and because some part of the Principality which *Odo* had held before he was chosen King was not restored to him, he began to conspire against *Charles* the *Bald*, and affect the Kingdom. In like manner *Richard* the Duke of *Burgundy* had for Successour *Rodulph* his Son, and *Herbert* Count of *Vermandois* his Son of the same Name with himself. This now was universally Challenged as a thing of Right, but such as were more dutifull to their Kings, when they divided their Governments amongst their Children, would desire their Consent to the Distribution. So in *Regino* we reade, that *Uto* the Count at his Death, whatsoever Preferment or Governments he had by Permission of the King, he divided as an Inheritance amongst his Sons. About the same time seven Dukes or Provincial Counts, raised themselves to the Power of so many petty Princes or *Reguli*, as the Duke of the *Franks*, the Count of *Paris*, the Dukes of *Burgundy*, *Normandy* and *Aquitain*, the Counts of *Flanders*, *Champaigne* and *Tolouse*, who in a manner contended with the Kings for Dignity, and by their Ambassadours would dispute with them as upon even Ground. At length *Hugh Capet*, having seized the Sovereignty, in some measure made up the Breaches of the Kingdom, but very cautiously like a prudent Physician gently handling these great and festered Wounds of the Common-wealth. Accommodating himself to the times, he let pass such as had been of longer Continuance, lest he should discover his own weakness, and made them with the other lesser *Feuda*, as perpetual and Hereditary, reserving to himself and Successours the Sovereign Jurisdiction, Allegiance and Military Services. By this Agreement and League, as it were, the Face of a Kingdom was restored, and the Dukes and Counts became faithfull and obedient; but yet the Majesty of the Kingdom recovered not, till some time after, these Noblemen retaining the *Regalia* or Royal Privileges, which during the Disturbances they had usurped. What these *Regalia* were it's too long for us to insert, and the Reader may have abundant Satisfaction out of *Alteserra*. Thus much at present we observe, that contrary to the Assertions of *Hotoman*, the Power of the *Meroningians* was free and uncontrolled; those Dukes and Counts being wholly at their Devotion. And that the Wars, Seditions and Changes of Government which followed, brought forth these Extravagancies and Innovations for which he pleadeth.

Aimoini Continuator, l. 5. c. 41. Willielm. Gemmetic. l. 8. c. 26.

Ad. A. D. 840.

Vide Frehwerdum in Chronic. ad Ann. 924.

124. To omit the *Senescallus & Comes stabuli*, as Officers considerable onely in latter Ages, and so not proper to our present Work, as neither to this Disquisition tending to the discovery of the Polity and Government of the ancient *Franks*, we shall after the Governours, inform the Reader a little concerning the Ranks and Distinctions of the People. They were distinguished into *Edelingi*, *Frilingi* and *Lassi*,

Sed vide supra Paragr. 71.

The People are distinguished into;

Edelingi. *Lassi*, as were the *Saxons* their Neighbours. The *Edelingi* were the Nobility, *Edel*, *Ethel* and *Etheling* in the *Teutonick*, and our ancient English *Saxon* Tongue signifying *Noble*. Of these *Edelingi* mention is made in the Rythmes, Composed in the true and ancient *French* Language, sent to King *Ludovicus*, and in the *Offridian version* of the Gospel. *Marculfus* the Monk, who lived about the Reign of *Dagobert*, *A. D.* 660. mentions the order of the Nobility, and shews how Bishops were wont to be Elected out of it, which is observable also in *Sidonius*, and *Gregorius Turonensis*. The *Frilingi* were so named, because they were *Fry*, or as we say Freemen, answering to our *Teomen*, as did the *Ethelingi* to our *Edelmen*, *Noble* or *Gentlemen*; and of them mention is often made in the Laws of the *Franks*. The *Lassi* were Slaves, or rather answered fully to our *Villains*, who Tilled the Ground as Hirelings, and Tributaries to the Condition of which, that of the old *Lacedemonian Helotæ*, and the present *French Peasants* doth much answer. Such of these as were Manumitted or set Free, were termed *Frilassi*, or in their own Language *Frigelassene*, concerning which the Reader may see enough in the *Formulæ* of *Marculfus*, and the Notes of *Hieronymus Bignonius* upon them, who observes, that there were three sorts of these Manumissions, or three several ways they were made Free. One was by a *Denarius* or piece of Money, another was in the Church, and a third by a Paper or a private Letter, concerning which we have abundant Satisfaction from the *Salick* Laws, *Gregory Turonensis*, and the *Formulæ* of *Bignonius* and *Pithæus*. Besides these *Lassi*, in Writers of the same Age we meet with *Liti*, who are thought to have been a sort of *Villains* also little different from the other, except in this, that they parted with their Freedom for Money.

Frilingi.

Lassi.

Liti.

Formular. l. 1. c. 5.

Pontana. Orig. Franc. l. 6. c. 15.

125. Something we must add concerning their Laws, and then it will be more than time to dismiss our *Franks*. And to fetch things a little higher in reference to *Gall* it self, we must know that the Conquerours were not onely wont to impose their Language, but their Laws, also upon the Conquered. Therefore as *Livy* tells us, the *Crotoniatæ* refusing to submit to the Dominion of the *Brutii* affirmed, they would rather dye, than mixing and imbodying themselves with them, they would exchange their own for the Customs, Rites, Laws and Language of Strangers. The *Romans* using the political Course imposed not onely Tributes and their Language, but their Laws and Magistrates, upon those they had once reduced under their Subjection; whereupon their Law, called the Civil Law by way of Excellency, was propagated together with their Empire through all Quarters, and the Provincials studied it, as their greatest Comfort, as that to which of necessity they must have Recourse. The first part of *Gall*, which received this Law in this manner, was *Gallia Narbonensis* called formerly *Braschata*, which being Conquered by *Fabius Maximus* had the *Jus Italicum* bestowed upon it with Immunity from Tribute: Many of the best Inhabitants were taken into the Senate before the time of *Augustus*, and from the Privilege it received of wearing the *Roman* Gown, it obtained also the Name of *Gallia Togata*. Moreover *Aquitain*, the *Dauphinate* and *Savoy* were Provinces before *Julius Cæsar*, and all of them received the *Roman* Laws, being governed by Presidents and Proconsuls, as long as till the Reign of *Honorius* the Emperour, who gave up his Right in them to *Athaulphus* the *Goth*. At length all *Gall* being Conquered by *Cæsar*, followed this Example. This appears first from the Answers, which the Emperours returned to the Presidents of the Provinces, who consulted them upon occasion yet extant in our Law Books. Secondly from this, that the Youth of *Gall* frequently resorted to *Rome*, there to study the Law, as appears from *Rutilius*, *Sidonius*, and *Altissiodorensis* and others, who instance in *Paladius*, *Eutropius*, *Germanus* and the like. Thirdly, the new Constitutions of Princes were wont to be published at the Tribunals of the Judges in *Gall*, and entred amongst their Records. And lastly from *Zosimus* it appears, that at the Declension of the Empire, *Britain*, and some Provinces of *Gall* having by their own strength cleared themselves of the *Germans*, without the Assistence of the *Romans*, rejected their Laws, and returned again to their own Customs. Hence it is evident, that *Gall* with the Empire received the Law of *Rome*, although some Free Cities were permitted at first to live according to their own Customs. As were the *Arverni* and *Rutæni* by order of the *Roman* People, the *Hedei* and *Atrubetes* by *Cæsar*: the *Massilienses* also retained their old Laws and Customs, whereof some Footsteps remain in *Strabo*, *Valerius Maximus* and others. The first *Roman* Lawyer that *Gall* saw after *Cæsar's* Invasion was *Trebatius*, with whom *Cicero* makes himself very Merry.

Sect. 4.

Lib. 24.

The Civil Law Imposed on them by the Romans.

In Panegyr. ad Origen. Gregorius Thaumaturgus ep. Neocæsariensis magnum id Viaticum esse pradicat, μέγιστον ἐφόδιον τὸν μαθεῖν τοὺς νόμους. Et Gregor. Nazianzenus ait. Ῥωμαίων μὲν νόμων μανθάνει δικαιοῦν ἐξάπτας. Orat. 21.

Ut l. milites D. de custod. Reor. l. Spadonem §. Imp. D. de excus. Tutel. l. 2. c. de municip. & Originar. Lib. 1. Itiner. Lib. 1. ep. 6. Lib. 1. de vita Sancti Germani Philostratus de vita Apollonii Augustin. Confess. l. 6. c. 8. de Aspio. Sidonius ad Nammatium l. 8. ep. 6. L. 6. p. 827. Cæsar de bell. Gall. l. 1. c. 10. Idem c. 10. Idem, ibid. l. 7. c. 14. Lib. 7. epp. 10. & 12.

126. The

Sect. 4.

126. The *Roman* Empire going to Ruine, and the *Goths* having seized on *Aquitain*, with the Province of *Narbon*, they indeavoured to remove, as other Marks of the *Roman* Dominion, so also that of the Laws. But in respect of the Laws, the Provincials despised them, keeping to those of *Theodosius*, and raised heavy Complaints against *Seronatus* the Prefect of *Gall*, as treading upon those of *Rome*, and Conspiring with the *Goths* for their Extirpation. At length *Alaricus* the last King of these *Goths*, perceiving the Minds of the People so addicted to the Laws of *Theodosius*, that there was no hope of bringing them to have any *Gusto* of *Gothick*, caused a Breviary of *Theodosius* his Code, to be Composed by some Select Persons, and to be published by *Anianus* his Chancellour; and lest he should diminish his own Majesty, by admitting this Foreign Law, made it his own as appears by the Commonitory to *Timotheus* the Count prefixed to it. This *Alarick* being slain, *Aquitain* with part of the Province of *Narbon*, was subdued by *Clodonæus*, but *Septimania* for the present escaping the Conquerours hands, remained in the Power of the *Visigoths*, as did the Province of *Arby* in the hands of *Theodorick* the *Ostrogothian* and *Italian* King. In these Countries yet remaining to the *Goths*, to be sure the *Roman* Law Continued safe, of which *Theodorick* himself is more than once Witness in *Cassiodorus*. *Clodonæus* also, either because he thought it impossible, or unsafe to make such an Alteration, or unwilling to shew any Harshness to those who had invited him into the Countrey, or rather for that he had no better to obtrude upon them, suffered them to enjoy their beloved Civil Law, with all Freedom.

Lib. 3. epp. 17. & 43.

127. Hence came it to pass, that the Provincials of *Aquitain* and others beyond the *Loire*, were by the *Franks* called *Romans*, as also the whole Countrey on that side of the same River, *Romania*, *Romana Terra*, and *Gallia Romana*. Moreover King *Clothair*, under the Name of *Romans* by an Edict, permitted them the use of *Roman* Laws, as also did *Guntran*, *Chilperick* and *Sigebert* by their Approbation. As agreeable hereto, did several Bishops and others, make their Wills fully conformable to the Rules of the Civil Law which *Gregory Turonensis* witnesseth; and *Aimoinus* tells us, that *Sadregisilus* the Duke of *Aquitain* being slain, his Sons for that they would nor prosecute and revenge the Murther, were according to the appointment of the *Roman* Laws, despoiled of all their Father's Goods. In the days of *Clodomæus* the second, and the Son of *Dagobert*, flourished this Law as is fully manifest from *Marculfus* his Forms of Codicils directed to the Rulers of Provinces. In the Age also of *Childerick* the second it is evident enough, that the Civil Law was in high Esteem, both in the Courts and the Schools of the *Arverni*. *Charles* the Great, following the Example of his Predecessours of the first Line, established the use of it to those that lived beyond the *Loire*, Commanding the Code of *Theodosius* to be mended for their use, as appears from the last words added to the Commonitory of *Alaricus*, and prefixed to the said Code. Nay he was so great a Friend to this imperial Law, that many things out of this Volume he caused to be transferred into his own Capitularies. The same Course was observed, by those of his Family to the Ruine thereof, a notable Instance of which we have in *Gerard*, a certain Count of *Aquitain*, who that he might not break the famous Law called *Fusia Cialia* (and *Mundialis* in our Authour) by his Testament refused to Manumitt more than one hundred of his Slaves. At that time flourished many eminent Men in *Aquitain*, who were great Proficients in this Science. Particularly *Abbo* the Father of *Odo Cluniacensis*, is said by *Joannes Italus* the Writer of the Life of the Son, to have had by Heart the Histories of the Ancients, and the Novel of *Justinian*. In *Septimania* indeed, by an Edict of *Cindasuindus* King of the *Visigoths*, the *Roman* Law was as it were turned out of Doors, and the *Gothick* prevailed so long as the *Goths* possessed that part of *Gallia Narbonensis*, but after the Countrey was subdued by the *Franks*, they recalled the *Roman* as we may easily gather from the perpetual Laws of *Charles* the Great, *Ludovicus Pius*, and *Charles* the *Bald*.

Fredegarius in Chronica Ligeris alveum transfert, Romanos pretunt, usque Biturigas urbem accedunt, &c. Concilia item passim. Fortunatus, Lucitprandus alii.

Lib. 4. c. 28.

Ex vita S. Praejecti Arvernensis Ep. & ex vita S. Benitii itidem Arvernensis Ep. apud Surium, Tom. 1. Januar. 15.

Et iterum Anno XX regnante Carolo Rege Franc. & Langobard. & Patricio Romanorum, Justum inquit est ut lex Mundialis in hoc observetur, & idea numerum in eadem lege praestitutum pretergredi non debere.

Odo Cluniacensis vit. S. Gerald. lib. 3.

Leg. Wisig. l. 2. c. 8.

128. But we are told by *Eginart*, that the *Franks* had two Laws very different in many places. The Reader must know then, that besides this of the *Romans* they found in *Gall*, they made or brought with them another of their own which is the *Salick Law*, so much spoken of in later Ages. Who were the Authours of it, is sufficiently set forth in the Preface, and *Sigebert* moreover informs us; as that it was Composed by four of their Noblemen chosen out of many, and known by the Names of *Wisogast*, *Bosogast*, *Salogast* and *Widogast*, in these Villages of *Germany*, *Salachaim*, *Bodochaim* and *Wingehaim*. We are told that these four meeting in three *Malli*,

The *Salick Law.*

Nam Franci duas habent leges plurimis in locis valde diversas.

Sigebertus Gemblacensis ad Ann. 422.

Malli, or so many several places of Assemblies, very carefully handled and discussed Causes, resolving to Judge according as the *Salick Law* declareth. Whence it should be called, there are different Opinions. Some derive the Name from *Sal* and *Sala*, signifying a *Court* or *Hall*, as if for *Salica* should be meant *Aulica*. So *Aventinus* interprets *Lex Salica*, *Terra Salica*, *Salica Prædia*, and *Salici Clientes*, and indeed still at this day the *Dutch*-men have this word *Salbuch* frequently in their Mouths, whereby they mean *Salicus Codex* or a *Salick Book*, wherein are described the Grounds belonging to the King or Church, together with the Tributes and Revenues. Moreover in the Laws of the *Alemans* and other Nations, the word *Sala* is often used for an *House*, as *Hall* now is used by us *English*, and not onely for the greatest Room or dining Room, as *Salle* in *French* also signifies. In this Sense the *Salick Land* should properly be that Land or Ground, which being Conquered was assigned to the Court or Courtiers, wherein the Female Sex could not succeed, as unable by Arms to defend and secure it. *Lindebrogius* cites an old Glossary, wherein *Terra Salica* is explained by the *Teutonick* word *Selilaut*, as the Ground or Soil belonging to the Court or the King's House.

Sect. 4.

Whence so called.

Vide Pontanum in Orig. Francic. l. 6. c. 17.

Leg. Alaman. tit. 81. Leg. Langobar. tit. 3, 4.

129. Others derive the word from the *Franci Salii* mentioned by *Ammianus Marcellinus*, who writes that Custome called them *Salii*, who formerly took the boldness to fix their Habitations in the *Roman* Pale at *Toxiandria locus*, and when *Julian* was come to *Tungri*, he adds, that there it was, that their Ambassadours met him. Betwixt these Opinions there's no Repugnancy, they may both be true. This Law might be called *Salick* from the People; and the People called *Salii*, from the *Sal* or *Sala* lately mentioned. But this *Toxiandrialocus* in the Judgement of several Learned Men, is that very Village in the lower *Loraine*, which to this day is called *Tessanderlo*. For the People called *Tungri* in the same Tract, and the River *Mosa* flowing along are most certain Notes of the Habitation of these *Franci Salii* in the time of *Julian*, betwixt the Rivers *Sceld* and *Meuse*, wherein during the Reign of *Pharamond*, the *Law Salick* was Composed. These three Villages mentioned by *Sigebert*, in the Opinion also of very judicious Persons are still remaining in the Countrey of *Brabant*, and now known by the Names of *Zelheim*, *Bodersheim* and *Windershoven*. For the first *Zelheim*, with a little Variation of Dialect in the *Teutonick* Tongue founds no other than the Habitation of the *Salii*, over against which on the other side of the River *Tamera*, stands a *Salick* Village called *Zelck*: There lyes also a Region betwixt *Herkam* and *Halen*, at this day called *Vranckriick*, or the Kingdom of *France*; and beneath that the *Salick* Meadows, known by the Names of *Zeelhemden*, which manifestly prove those to have been the first Seats of the *Salick Franks*.

Petitique amicitiam Primis Francus quos Consuetudo Salios appellavit, ansos olim in Romano solo apud Toxiandriam locum habitacula figere, lib. 17.

Petrus Dinaus Rer. Brabant. l. 2. Christoph. Brouwers Annal. Trevirens. l. 4. Nicolas Vignerius Biblioth. Tom. 1. p. 881. Johannes Jacobus Chifletius Vindic. Hisp. c. 5.

Germani pro S tuuntur Z zel i- taque pro Sel vel Sal. Heim idem cum nostro Ham, quo terminantur multa oppidorum vocabula. Inde etiam Home. Sic Zelheim est Sal ham. Habitatio Salforum.

130. But *Julian* the Emperour himself writing of these *Franks*, which living at *Toxandria* had made their Addresses to him, calls them a part of the *Salii*, which hints that another part of them inhabited elsewhere. Now that any which dwelt beyond the *Rhine* were called *Salii*, appears not at all; therefore *Chifletius* thinks, that those of the *Franks* which had passed that River, and now fixed on this side, were so named from the River *Salia*, which rising out of the Lake by him called *Lindrius Lacus* at the City of *Metz*, empties it self into the *Moselle*. Now that this River had it's Name from *Sal* or *Salt*, *Fortunatus* tells us, where he Enumerates the Rivers of *Gallia Belgica*. *Chifletius* adds, that this Etymology is founded upon very good Reasons. For not far from the River are the Salt Fountains of *Loraine*, which Spring up at *Dieuze*, *Marsal*, *Mogennic*, *Salone* and *Chasteau-salin*, at which places they boil the water into Salt: Neither is far distant, the Monastery of the *Salt Valley*, of the Order of St. *Norbert*. That greatest Contests of old happened betwixt the *Burgundians* and *Allemans*, the *Catti* and *Hermundari* about such Salt-waters we are assured by several Writers, as well out of a superstitious Conceit they had of such impregnated Waters, for the great Gain that arises out of such Traffick; and why might not they have the same Desires? why might not the same Endeavours be used by the *Franks*? But that from this *Salia* they were so named, this renders it still more probable, that in the parts of *Loraine* several other People may be found, which took their Names from the adjoyning Rivers: As from the River *Monus* (by *Regino* called *Mogonus*) the *Mogonciaci* from *Rura*, the *Ribuarii*, in old French, *les Rayers*, from *Elelius* the *Elsatii*: From *Haina* the *Hainonii*, and from the *Mosella* the *Mosellani*. Why then not as well from

In Epist. ad Athenienses. Μοίραν τῶν Σαλίων.

Isara, Sara, Chiares, Scaldis, Sabis, Somna, Sued Mettin adit, de sale nomen habens, lib. 7. c. 4.

Sect. 4. from *Salia* the *Salii*. To speak indifferently this is very probable, and *Papirius Massonus* was of this Opinion, that the *Salick Law* was so denominated from *Salia* the River of the *Mediomatrici*, as also *Hotoman*, that the People received this Appellation from the River.

131. From very many Instances and Examples, *Chifflet*ius proves that in those Countries, lying within the Rivers, *Meuse*, *Moselle*, *Scelde* and *Somona*, or the *Somme*, the *Salick Law* was used and in Force for many Ages, amongst those who were first called *Salii*, then *Austratii*, and afterward *Lotharingi*. Upon the very same account, *Conrade* the second Emperour was long after called *Salicus*, because he was born in the *Salick Land*, in the Territories of *Wormes*, within the Borders of the Eastern *France*, or the ancient Kingdom of *Loraine*. In like manner, St. *Norbert* born in the Countrey of *Cleeve*, in the Diocese of *Coleine*, is by *Hugo Cameracensis*, his first Associate and Successour in the *Pramonstratensian* Monastery, said to be descended of the Illustrious Off-spring of the *Franks*, and the *Salick Germans*, that is to say of the *Austrasians*, who were the Eastern *Franks*, called afterward *Lotharingi*, the Kings of whom were intituled, *Reges Orientalis Franciæ: Kings of Oriental France*. To these in the Opinion of *Cujacius*, truly and properly belonged the *Salick Law*, by Virtue whereof Males alone succeeded their Ancestours in their Inheritances. For so a branch of it runs: But of the *Salick Land* no Portion of the Inheritance passeth to a Woman, but this the Male Sex acquires; that is to say, Sons succeed in the Inheritance. This is that passage, whereupon has been raised such a noise in the World, and has cost two Neighbouring Nations, so much Bloud and Treasure.

In vita circa Annum 1140.

De terra vero Salica in multerem nulla portio Hereditatis transit, sed hoc virile fratres acquirit: Hæ sit filii in ipsa Hæreditate succedunt. Tit. 62. §. 6.

132. But *Cujacius* very well observes, and so doth *Hotoman* in his *Franco-gallia*, that in several Books are written the *Law Salick*, and the Law of the *Franks*: And that this belonged to those of the West, and that to the other of the East, or the *Austrasians*, and *Lotharingians* as they were afterwards called. *Chifflet* affirms, the *Salick Land* to be the Dukedom of the upper *Loraine*, the right of Succession in it, by Virtue of this Law belonging to Males onely, as also in the Dukedom of the lower *Loraine*, till such time as by Indulgence of the Emperours, the Succession was also devolved upon the weak Sex. As by many Instances, he proves that the *Salick Law* belonged to the Eastern *Franks*, so by as many and more doth he shew, that it no way concerned the Kingdom of the Western, which at this day we call *France*. That sometimes the Kingdom was transferred to the Males, when there were Females remaining, *viz.* the Daughters of the late deceased Kings cannot be denied, as we have seen in the Case of *Guntram*, who though he left a Daughter called *Clotilde*, yet his Kingdom went not to her, but to his Brother *Sigebert*. So *Childebert* the third dying, the Crown came to his Brother *Clothair*, though he left two Daughters; and *Cherebert* the fifth being deceased, the Succession was devolved upon *Sigebert* his Brother, and his three Daughters were excluded. These Instances and Testimonies yet he over-rules by a far greater number on the other side, whereby he doubts not, but that he demonstrates that the *Law Salick* was never observed nor practised, there where some in later Ages for their own Interests, have so much pleaded and contended for it.

Separatis libris habetur lex Salica & lex Francorum: Hæ ab Occidentalium, illa Orientalium. Lib. 1. de Feudis tit. 1.

Vindic. Hisp. c.6.

133. First, had any such Law been regarded as Sacred and Inviolable, it would have awed the *Franks* so much, that after the Death of *Clodio* they would not have passed by his Children, and transferred the Kingdom to *Meromæus* his Kinsman, probably descended of the Bloud Royal by the Female Sex. It would also have been a Bridle to them, against their rejecting of *Childerick*, and making choice of *Ægidius* the *Roman* Patritian, whose Mother or Wife probably was a *Frank*, because we find that his Son *Siagrius* possessed the City of *Soissons* by right of Inheritance. Had there been such a kind of Curb, a Reverence to such a Law, it would have been more effectually joyned at least with their Duty and Allegiance, than to suffer them to reject the Male Line of the *Meroningians*, and promote the Family of *Charles Martell*, which was descended of it by a Female, as we have formerly shewed, *viz.* by *Blithilde* the Daughter of King *Clothair*, Married to *Anspert* the Duke of *Austrasia*. The like Example we find in *Wido*, Duke of *Spoletum* who was chosen King, though he was descended from *Charles* the Great, by a Daughter onely of *Pipin* the second; but for this very reason that he was a Kinsman by his Mother, of *Charles* the Simple. *Odo* Moreover obtained the Crown of *France*, for being descended from the said *Charles*, though by his Concubine, for which and no better a Reason, *Rodulph* the Kinsman of him and King *Robert*, thought himself worthy and capable of a Crown, which he put on his Head, and caused himself

Posteros Clodionis Regis qui hactenus ignoti fuerunt haberi in veteri Stemmate, quod ex MS. codice legis Salicæ Chesnius publici juris fecit.

self to be saluted King of *Burgundy*. The said *Robert* pretended to the Kingdom by the same Title and none other, as had done his Brother *Odo*, who as he affirmed, had Reigned by as good Right as had King *Pipin*. For the same reason was *Rodulphus* made King of *France*. Neither could *Hugh Capet* himself challenge the Crown by any better Title. All these were actually possessed of the Crown. Where was then the *Salick Law*, which the Modern *French* so much boast of, as firmly established, and sprung up together with the Kingdom, by which alone the Liberty and Dignity of the Name of *France* hath subsisted, as that which hath preserved it from being oppressed by the Empire, and Jurisdiction of Strangers?

Sect. 4.

Vindic. Gall. cap. 16.

134. From the Rights and Pretensions of others, it appears that this *Salick Law* was not in this point at all acknowledged in ancient times. *Henry* the first of that Name being dead, *Baldwin* Sirnamed *Pius* the Count of *Flanders*, who had married *Adela* his Sister, was made Protector or Guardian to *Philip* his young Son on this Condition, that in Case the Child *Philip* should dye without Children, he should succeed to the Crown in Right of his Wife, the Aunt of his young Pupill. Here Authours say, he should be King in Right of his Wife, and that the Nobility swore fealty to him, as the just Heir of the Kingdom, in Case *Philip* should dye without Issue. Now no Right can be against such a positive Law, and Just and Legitimate flowing from Law it self; how could he be said to be King in Right of his Wife, of a Just or Legitimate Heir, in Case of such an Illegality? In like manner, the Nobility after the death of *Lewis* the eighth, disdaining to be governed by *Blanche* his Wife, in the Minority of his Son *Lewis*, resolved to confer the Crown on *Enguerran* Lord of *Coucy*, for no other Cause, than for that he was descended from the Loins of their Kings in a double Line, but in both by Women, as appeareth by his Pedigree to be seen in *Chifflet* his Book. The first time that ever the *Salick Law* was objected and made use of in this Case, was after the death of *Lewis Hutin*, who left his Wife *Clementia* Great with Child of a Son; called *John*, that died the eighth day after he was born. He left a Daughter also named *Joanna*, begotten on *Margaret* the Daughter of *Robert* Duke of *Burgundy* for whom her Uncle *Odo* Son of this *Robert*, challenged the Kingdom of *France* in Right both of her Father and Brother, But *Philip* Sirnamed the *Long*, took off this *Odo* by Marrying to him his own Daughter *Joanna*, and as *Du Haillan* observes. *Philip* having a Controversie with a young Virgin destitute of Help and Succour, and having bribed the Nobility by great Promises easily had the better of her. Yet did her Aunt the Dutchess of *Burgundy* protest against the promotion of *Philip* in Right of her Niece, neither would the Dukes of *Burgundy* and *Flanders*, though Peers of *France* be present at the Inauguration. *Odo* yet afterward as we said renounced the Right of his Niece, being taken off by a Marriage with *Joanna*, who brought with her the Inheritances of the other *Burgundy*, and *Artesia*; though had this *Salick Law* been known amongst the Western *Franks*, he would scarcely have asserted her Right at all. But now was it first cited and objected, almost nine whole Ages after it was first enacted in the *Salick Land*.

When the *Salick Law* was first made use of.

Vetus Flandriæ Chronicon apud Chifletium ubi supra, c. 7. Ea conditione ut si infantem sine Hæredibus mori contingeret prædictus Comes Balduinus Francorum Rex esset ex parte uxoris sua &c.

Aliud vetus Chron. MS. Monasterii Sancti Gisleni: sin autem omnino utpote judicio hæredis Regni per uxorem.

Chronica vet. apud eundem de proceribus decerum jam fuisse Enguerrannum Couciacum facere Regem Franciæ. Volquam oblatam vegnandi occasionem amisisset ipse est isto Lemmate. Je ne fait Roy ne Duc aussi je jan sire de Coucey. Sive quid am dedivant de voce Græca xo ·, hodie attribuitur Regi sil. dum vero usurpata fuit eodem sensu quo vox hodierna Sieur, ut ex isto loco probat Balæacus. A. D. 1316.

135. *Odo* the Duke of *Burgundy* gave up the Cudgels, as we said, as to the Right of his Niece; but when his own turn came, he was not willing to be so served. For *Philip* the *Long* being dead, he Challenged the Kingdom for *Joanna* his Wife, Daughter to the said *Philip*, and contended though in vain, he himself having helped to make a President, with *Charles* Sirnamed the *Fair*, the Brother of the King deceased. Not long after, *Charles* had the same fate as had his Brother to dye without issue Male, which Accident procured that famous Contest betwixt the two Nations of *France* and *England*. Our King *Edward* the third, the Nephew of *Charles* by his Sister *Isabell*, justly contended that the Crown belonged to him, rather than to *Philip* of *Valois* the Cousin *German* of *Charles*, who laid claim to it. He affirmed, that though the pretended *Salick Law* were admitted; yet would the End and Design of it be accomplished in his Person, who though descended from the *French* Kings by his Mother, yet was a Man, and so fit to Govern; Women by it being excluded from the Inheritance, but not Men who derive their Pedigrees by Women. He produced the Example of *Pipin*, the Father of *Charles* the Great, urged those of *Odo* and *Robert*, and instanced in *Hugh Capet*, who were promoted for this very reason, that by their Mothers and Grandmothers, they drew their descent from the Kings of the *Franks*. His Right and Title to the Crown, to be better than that of *Philip* he shewed, in that he was the Grandson of *Philip* the *Fair*, begotten on his Daughter, and therefore it was fitter that he should succeed his Grandfather and his Uncles, than *Philip*, who deriving his descent

A. D. 1322.

S. 4 cent from the Father of *Philip* the *Fair*, was more in Bloud remote, though he seized on the Kingdom. He quartered the Arms now of *France* and *England* together, and defied *Philip* the Invader of the Kingdom, calling him by no other Name than *Philip* of *Valois*. Then what Wars followed none can be ignorant, than which *Æmilius* affirms none ever was more grievous, none more long, none more Bloudy and Contentious, nor any more frequently repeated. A later Writer adds, that this Contention involved the *French* and *English*, by reason of a tedious War, in the greatest Calamities: Hence the Kings of *England* have taken the Title and Arms of the Kingdom of *France*, and as yet do take them; and affirm the Controversie as yet not to be decided. *Aubertus Miræus in Chron. Belg. ad An.* 1328.

136. While *John* the second of *France* was here Prisoner in *England*, *Charles* King of *Navar*, Son to the Daughter of *Lewis Hutin*, renewed the Claim of his Mother, and the *Dolphin* then Regent, was glad to buy him off with that part of *Normandy* he had got into his hands, before the Kings Captivity; by Virtue of which Bargain his Right was then extinguished. But *Charles* the sixth could not so stop the Mouth of our *Henry* the fifth, but Marrying to him his Daughter *Catharine*, ordained him Regent of the Kingdom during his Life, and after his Death Successour to it. The *French* Writers here except that *Charles* was not well in his Wits; but its a wonder that the Estates of the Realm should be so mad with him for Company. For it's certain enough it was done by their Consent; if Madness was the Cause, this Madness neither died nor was buried with him. His Body being laid in his Grave, in the Church of St. *Denis*, *The Officers of his House brake their Staves, and cast them into the Grave, turning their Keys also downwards, then the Heralds coming to the Graves side cryed out: Rest the Soul of the most high and most excellent Prince* Charles *King of the* Franks, *of that Name the sixth, our Natural and Sovereign Lord: then with an higher Voyce added; God lengthen the Years of* Henry *by the Grace of God, King of* France *and* England *our Sovereign Lord.* Then erecting their Keys and lifting up the Lilies or their Coat Armours toward Heaven ingeminated these Words, *Let the King live.* Had the *Salick Law* been of such Sacred and inviolable esteem, it's not to be supposed, the Estates would have Consented, especially *Philip* the good Duke of *Burgundy*, who being himself issued from the House of *Valois*, had no reason to make Shipwreck thus of his Hopes and Expectations. But in prosecution of the Right which rose from the Title of our *Henry* the fifth, his Marriage with *Catharine*, and the Agreement upon that Marriage, *Henry* the sixth his Son some thirteen Years after came to *Paris*, and there with the same Consent was solemnly Crowned and anointed. *Monstrelet Tom.* 1. *c.* 267. *Idem, Ann.* 1431.

137. The Governour of *Paris* with the flower of the Citizens went out to meet him, and did him Reverence. They were followed by the chief President, habited like a Prince with the Members of Parliament, clad in Purple and Scarlet. Next to these went the Masters of Accounts, after them they that had the Charge of the Treasury, the Masters of the Requests, and the Secretaries: All these kneeled before him, and acknowledged him for their Sovereign. The Provost of Merchants, and the *Eschenius* or Sheriffs brought a Canopy of blew Silk poudredwith Golden Lilies, and carried it over his Head all the while he passed through the City. On the seventeenth of *December* he went to the Church of *Nostre Dame*, and there was Consecrated by the Cardinal of *Winchester*. Thence returning to the Palace, he entred as it were into Possession of the Royal Dignity, the Doors were set open, he sate on his Bed of Justice, heard and determined Causes, and executed the Office of a King. Letters Patents were sealed with his Seal Royal, and he had two Crowns, the one on his Head, and the other standing by him, to shew openly that he was King of so many Kingdoms. Where was then the *Salick Law?* In the same Esteem doubtless as it was more lately, not yet one hundred Years ago after the Death of *Henry* the third, the *French* King. The greatest Faction would willingly have Cancelled it out of Enmity to the Family of *Bourbon*. Some were for the Duke of *Loraine* or one of his Children, others for the Duke of *Savoy*, as the Son of a Daughter of *France*; but most cast their Eyes on *Philip* the second King of *Spain*, as descended from the Loins of *Charles* the Great, and sixteen *Parisians* who, had then the Care of the State upon them, wrote to him Letters full of Duty and good Wishes, to be seen in the Book of *Chiffletius*. What cause the Modern *French* have to bragg as they do, of the Observation of their *Salick Law*, inviolably preserved since the founding of the Monarchy it self; let the Reader judge by these Instances, which howsoever they transcend the Period, we have allotted to this Volume, yet in so material a Subject which we *Cassanæus, Lib.* 3. *c.* 5.

we here handle once for all could not be omitted. We assure our selves, that during the Reigns of the Kings of the first and second Lines, it was never thought of, and it was so far from being a Check upon the *French* in ascertaining the Succession, that the contrary Doctrine, *viz.* that the Descent from the Royal Family by the Female Sex, gave a Right and Title to the Crown, was no small Incouragement to the ancient *Franks*, to commit those extraordinary and extravagant Practices, upon which *Hotoman* founds his Doctrine of Election, and opened the Door to the Succession of *Pipin* and his Family, if not of that also of *Hugh Capet*. Sect. 4.

138. All this is abundantly confirmed from the Successions of several Dukedoms, and Counties of the Western or Modern *France*, which have often descended *from the Spear to the Distaff*, have been possessed both long since, and lately by Women and their Children: He that desires Satisfaction may consult the Book of *Chifflet* written upon this Argument, where he may find the several Examples, and the Pedigrees he produceth for the Proof and Evidence of his Assertion. We shall here give the Reader onely a Taste of it. First, he produceth the Testimony of *Otho Frisingensis*, who writes that it's the Custome in *Burgundy* (as almost in all the Provinces of *Gall*) that ever to the elder Brother and his Children, whether Males or Females, the Right of the Father's Inheritance belongs; others looking upon them as their Lords. He observes, that the Particle *Pene*, or almost, excludes the *Salick Lands* of the Eastern *France*. Then for Instances, *Conrade* Count of *Paris* was Duke of *Burgundy*, in Right of his Wife *Adelais*, the elder Daughter of *Hugh* the Bastard Son of *Charles* the Great. So was *Hugh* the Son of *Conrade* in Right of his Father and Mother. After *Hugh* succeeded *Alaydis* his Niece by his Brother, her Husband *Richard* the Count of *Autun*, being in her Right made Duke of *Burgundy*. In their Right succeeded *Hugo Niger* their Son, betwixt whom and *Hugo Albus* there arose a difference, for he pretended to the Dukedom, because his Mother was *Beatrice* the Daughter of *Richard* and *Alaydis*, Married to *Robert* the first King of the *Franks*: The Contest grew so high, that they divided *Burgundy* betwixt them. *Hugh* the *Black* dying without Issue, *Gilbert* Count of *Dijon* the Son of *Manasses*, who had Married another Sister succeeded, and in like manner left the Dukedom to *Otho* his Son-in-Law. Long after this continued the Succession of *Hugh* the White in the Male Line; but at length Duke *Philip* Sirnamed *Roboreanus* dying without Issue, the Dukedom fell to *John* the *French* King, by Right of *Joanna* his Mother, great Aunt to *Philip* the last Duke, though there were several of the Male Line remaining; therefore certainly not by any Right he claimed by Virtue of the *Law Salick*. *A. D.* 1362.

139. Which Law in the Succession of *Burgundy*, was never heard of till *Lewis* the eleventh of *France*, indeavoured to exclude *Mary* the Daughter of *Charles* the *Bald*, slain in the Battel of *Nancy*; and this, saith *Chifflet*, is the Fountain of that Right, whereby the *French* King retains from her Posterity the most noble Region of *Burgundy*. But to proceed, the Province, saith he, which the King of *England* asserts at this day as his Right, and which his Ancestours throughout all the Kingdom of *France* enjoyed quietly in times past, belong to him no otherwise than by Right derived on the Female side. For the County of *Maine*, *Fulco* Earl of *Anjoy* married *Eremburgis*, the Daughter of *Helias* Earl of *Maine*, together with her receiving the County, and by her had two Sons and as many Daughters, whereof one married to *William* the Son of *Henry* King of *England*. His two Sons were *Geoffrey* and *Helias*, whereof the elder married *Maud* the Daughter of our *Henry* the first, the Sister of the said *William*, and Dutchess of *Normandy*: And at length *Henry* Son of *Geoffrey* and *Maud* (being Duke of *Normandy* by his Mother, Earl of *Anjoy*, *Touraine* and *Maine*) took to Wife *Elianor* the Daughter of the Duke of *Aquitain*, or *Guienne*, formerly called Wife to *Lewis* the seventh King of *France*, and by her became Lord both of *Guienne* and *Poictou*. The Historian writes, that *Guienne* by little and little withdrew it self from the Dominion of the *Franks*, and passed into the hands of the Duke of *Normandy* by reason of his Wife: The *Franks* pining with Envy, but not able to hinder the effect of his Right. Our King *Henry* by the same Right, being Lord of *Poictou* could lay just Claim to the County of *Tolouse*, derived from the Grandmother by the Fathers side of his said Wife *Elianor* by Name *Philippa*, the Heir of Count *William*, and Wife to *William* the eighth Duke of *Guienne*. And no other Right had *Alphonsus*, Brother to *Lewis* the *French* King, to the County of *Tolouse*, than for that he had married *Joan* the Daughter of *Raimond* the fifth Count of that Countrey. *A. D.* 1477. *Willielmus Gemmeticensis, lib.* 8. *c.* 34. *Historici Normannorum & Anglorum.* *Guliel. Neubrigensis, l.* 1. *c.* 31. *Ratione conjugis in ducis Normanni potestatem transiit: Franciæ quidem inuidia labescentibus, sed impedire non valentibus ejusdem juris proximum.* *Fratres Gemmeticenses, l.* 6. *c.* 8. *Bernardus Guido apud Guilelm. catel. in Histor. comitum Tolosæ.*

Sect. 4. 140. As for *Bretagnes*, the Dukedom of it hath four times deſcended to Females, Males and Uncles being ſometimes excluded. As to the two firſt *England* was concerned, and therefore we ſhall preſent the Reader with the Writers words. Concerning *Peter*, Sirnamed *Mauclere*, Brother of *Robert* the ſecond Count of *Dreux*, it muſt be known that he married *Aleydis* Counteſs of *Bretagne*, whoſe Grandfather *Conan* Sirnamed the *Groſſe*, had one onely Daughter *Conſtantia* by Name, which married to *Jeoffrey* the Brother of *Richard* King of *England*, and brought him a Son Named *Arthur*, together with a Daughter *Elianor* by Name. King *Richard* dying, the Kingdom was devolved upon *Jeoffrey*, who deceaſed alſo before ſuch time as he could receive the Homages of his Subjects. Therefore *John Lackland* his younger Brother ſeized on the Kingdom, procuring his Nephew *Arthur* afterward to be drowned, and detaining his Niece *Elianor* in Captivity, out of which ſhe never eſcaped. *Jeoffrey* being Dead, the Counteſs *Conſtantia* married to *Almarick* Count of *Anjou*, who begat on her this *Aleydis*. She then poſſeſſed of the County married *Peter Mauclere*, who had by her one Son and a Daughter. Thus we ſee how twice this Inheritance deſcended to Women. Another example we have in *Charles* the younger Son of the Count of *Blois*, who marrying *Claudia* the Niece of *John* the Duke of *Bretagne* by his Brother, in Right of his Wife aſſumed the Title of Duke, though *John* the laſt of the Brothers of the deceaſed Duke contradicted it, denying that this Countrey could in Equity fall back to the manly Sex. This *John* was in Right of his Mother Count of *Montfort*, whence aroſe a moſt ſharp War, King *Philip* aſſiſting *Charles* his Siſters Son, and the *Engliſh Monfort*. *Froiſſart* affirms, that by the Judgment of the Peers of *France*; *Blois* was preferred before *Montfort*, becauſe *Claudia* was neareſt akin to the deceaſed Duke. He had the better therefore upon his Wives account, and in her Right, by Virtue of which he had alſo received the Vicounty-ſhip of *Limoſin*. As for *Anne* the Daughter of *Francis* Duke of *Bretagne*, later Writers Conſent that ſhe was not onely the Legitimate Heir of her Father, but would never permit the Kings her Husbands to diſpoſe of her Duchy. And for *Claudia* her Daughter, ſhe was rightly enough betrothed to *Charles* of *Auſtria*, but was married to *Francis* of *Valou*, leſt ſo goodly an Inheritance ſhould fall into the hands of Strangers.

Baldivinus Antenſis in Chron. M. S. Hainon. apud Chiffletium.

Joannes Sirenſis in ſua auctis apud noſtros etiam Scriptores.

Papirius Maſſonus in Annal. ad A. D. 1340.

Summarthani Fratres l. 9. c. 9.

141. Farther the County of *Champagne*, as Pope *Honorius* the third decided the Queſtion of Right, appertained to the Queen of *Cyprus*, which was *Aleydis* the eldeſt Daughter of *Henry* the ſecond, Count of this Province, married to *Hugh Luſinian* King of that Iſland. Her Couſin *Theobald* by ſtrength of Arms carried it from her. But the matter ſucceeded better in behalf of the Women in the Reign of *Philip* the *Fair*, to whom this County fell in the Right, and upon the account of his Wife *Joan*. The like might be demonſtrated concerning the ancient Counties of *Creſpy* or *Valois*, of *Burſur*, *Aabe* and *Vermandois*, of the County of *Provence*, of *Flandres*, which fell to *Philip* the *Bald*, in Right of his Wife, as alſo afterward to *Maximilian*, the Husband of *Mary* of *Burgundy*. It would be too tedious to expatiate upon the County of *Artbois*, paſſed to a Daughter by decree of the Parliament of *Paris*, notwithſtanding the endeavours of the dead Brothers Sons, *viz.* to *Margaret* Counteſs of *Burgundy* and *Artois*, who was as a Peer preſent at the Inauguration of *Charles* the fifth at *Paris*, putting her hand to the Crown, as the reſt did while the Archbiſhop prayed for the King. In like manner, it were eaſie to inlarge upon the Counties of *Nevers*, *Auxerre*, and *Tonnerre*, the Dutchies of *Rethel*, *Montpenſier*, *Touteville*, *Joyeuſe*, *Aumale*, *Mayenne* and *Aiguillon*, very lately in the hands of Women. The County of *Meſconnois*, to which the Privilege of Peerage is annexed, was bought by St. *Lewes* of *Aleydis*, the Widow of *John* Earl of *Dreux*. *Helia*, the Siſter of *Robert*, gave the Duchy of *Alençon* to *Philip Auguſtus*. *Albret* fell alſo in the laſt Age to *Joan* the Wife of *Antony* of *Bourbon*, and Mother to *Henry* the fourth. Now by theſe Inſtances, to mention no more, let the impartial Reader judge whether *Caſſanus* hath reaſon to write that by the *Law Salick*, not onely all acceſs to the whole Crown is barred by Women, but even to parts of the Crown alſo, as Dukedoms, Counties and other Fees, becauſe they are of the ſame Nature with the ſtock, from which they proceed. Of the ſame Nature they are indeed, but what this Nature is this Diſcourſe hath made very evident.

Extravag. de Ord. Cognitionum C. Adnam.

Belleforeſt in Chron. Tom. 1. l. 4. c. 54.

Lib. 2. c. 5.

142. But the Reader muſt know, that they which are for this Succeſſion cannot agree amongſt themſelves, ſome affirming, that the *Law Salick* onely concerns the Crown, others the Crown, and the other *Feuda* or *Fees* we have lately mentioned, and others that it neither concerns the Crown, nor any *Fees* neither, but the Excluſion of Females they lay upon an Inviolable Cuſtome, which hath the form of Law, as

Vide Hotomanni Franco Galliam & Reſponſ. Mathurelli.

as doth *Hotoman*, whoſe Foundation how weak it is, we way perceive by thoſe Examples he never ſufficiently conſidered. It's not in vain to take notice of what *Chifflet* preſſes upon us, that by the Ambiguity of the Word *France*, the Modern *French* have endeavoured to impoſe upon the World in this particular. For there being three ſeveral Countries which have born this Name, the one beyond the *Rhine*, called by St. *Jerome* the Region of the *Franks*, and by others *Antiqua Francia*, the Habitation of the *Anſinarii*, and two more on this ſide that River, the one Oriental, the Inhabitants whereof were the *Salii* called *Auſtria*, *Auſtraſia*, *Francia Orientalis*, *Lotharingia* and *Media*, *Pars Franciæ*; and the other *Occidentalis*, *Nova*, *Latina*, *Romana* and *Neuſtria*, the Inhabitants whereof were called *Romani*, from the Baſtard *Roman* Tongue, the Modern *French* Writers have applied to themſelves or the Weſtern *Franks* indiſtinctly whatever was written concerning the other; making the inconſiderate World believe the new Kingdom was the very ſame with the old. An advantage and Incouragement to this, they had from this following Accident, that the Name of *France* onely remained with the Weſtern or their Countrey, where it had fixed before the days of *Sigebert*; whereas in the days of *Charles* the Great, under the Name of the Kingdom of the *Franks*, beſides the three *Frances* lately mentioned, all *Germany* was included. But as the *Franks* were *Germans* Originally, ſo their Tongue prevailing againſt the Baſtard Latine aboliſhed the Name of *Franks* in the two Countries firſt mentioned, and in the Occidental *France*, the Baſtard Latine being adopted into the Name of *French* carried away that Name, and blinded thoſe that were not well skilled in Antiquity, as if that had been the onely true *French* Tongue, and ſuch as ſpake it were *French* alone. But moſt true is that ſaying of *Paulus Æmilius*, that the *Germans* may with more Right Challenge the Glory of the ancient Kings, Dukes and Emperours of the *Franks* to themſelves as deſcended from them, for the Oriental *Franks* are ſtill amongſt them, and the Occidental or Weſtern, are onely their Progeny.

Sect. 4.

Ad Ann. 845.

Hiſt. Franc. l. 3.

143. From all that has been ſaid upon this Argument, whether or no we have reaſon to be of the ſame Opinion with *Du Haillan*, their own Hiſtoriographer, a Councellour or Secretary to King *Henry* the third, let the Modern *French* be Judges. Concerning the *Law Salick* he hath this Expreſſion, that it was aſcribed to *Pharamond* by thoſe who, that they might make themſelves Kings, deſired to found their Right of Convenience upon a very ancient Law, by this Antiquity to give it more Luſtre and Authority. He demands, why *Pharamond* ſhould be thought to have made this Law for this Modern Crown of *France*, who never entred *Gaul* which now bears that Name, to which he neither had Right, nor the leaſt pretenſion, never paſſed the *Rhine*, but always contained himſelf in his Province of *Franconia*. By that Article of Succeſſion, ſo far is it, that any thing ſhould be meant of the Succeſſion of Kingdoms, that it ſpeaks not of *Fefs*, but onely of thoſe Tenures they call *Allodia*. In another place, he tells his Reader plainly, that the more ſevere Cenſurers of their Hiſtory, affirm that the *Law Salick* was not framed by *Pharamond*, but invented by *Philip* the *Long*, to deprive his Niece the Daughter of *Lewes Hutin* of the Inheritance of the Kingdom, which to obtain he muſt ſtrengthen that his Act by the precept and Obſervation of ſome Law or other. Nay he ſays plainly, that although this Law be one of the braveſt that ever was made in any Kingdom, yet it hath no power in *France*, but by Force or ſtrong hand, on which moſt Laws in all Dominions are founded. Of the ſame Opinion was *Scipio Dupleix* one of his Succeſſours, both in the place of Councellour and Hiſtoriographer, a Man who by his Writings and Collections, hath very well deſerved of that Nation. He counts it groſs Ignorance in thoſe that imagine the *Salick Law* was made in favour of Males, to exclude the Females from the Succeſſion to the Crown, foraſmuch as in the whole Book there is not one Law, nor Title, nor Article which makes mention of it, as neither of any Right of the Kingdom or Dominion of it; but onely of the Rights of Subjects, and Puniſhments ordained for Crimes: Nay the Prologue moſt manifeſtly declares, that theſe Laws were made for no other purpoſe, than to provide for the Government of Subjects, their Peace and quiet.

Eſte appellee Salique, & a Pharamond attribuee, par cette qui a ſu ſe faire Roy ont voulu fonder leur droit de bien ſe auce ſur une lay bien ancienne, pour luy donner par ceſte antiquite plus luſtre e dauthorité. Car pourquoy, cet Pharamond fait ceſſe loy pour ladite couronne, veu que jamais il á entra en Gaule maintenant appellee France ſur laquelle, &c. Hiſtoire de France. Tom. 1. De ſtatu Rerum Franc. lib. 3.

In Prolegom. Hiſtor. Franc.

144. That there was ſuch a Law as the *Law Salick*, before *Philip* the *Long*, we muſt confeſs, but that this Law concerned any place, but *Auſtraſia* or the Eaſtern *Franks*, we may with good reaſon utterly deny, as that it any way reſpected the Crown, or had any thing to doe with the Succeſſion. As for *Chiffletius* he makes this uſe of all that has been ſaid: This Weſtern or Modern *French* uſe this *Salick Law* like a Ball, they ſtrike it out of the Tennis Court, and again bring it in as they

Sect. 4. they please, to delude Posterity. For the first nine Ages after it was made, they never took notice of it (in this Sense he means) in the fourteenth Age they defended it Tooth and Nail against *Edward* the third, King of *England*: Again in the fifteenth they forgot the same Law, in favour of the two *Henries* the fifth and sixth Kings also of *England*: In the sixteenth *Francis* the first renounced it's Decrees and Abdications, by the Treaties of *Madrid*, *Cambray* and *Crespi*, which Renunciation of his, afterward *Henry* the second tacitely confirmed by another Treaty at *Cambray*, and *Henry* the fourth by that of *Veruin*. Then presently again, though thus over and over rejected, they reduce it into Play again, giving it the Epithetes of *Eternal* and *Immutable*, though it doth not at all concern them, but as *Du Haillan* witnesseth, is made use of by force and violence. Then follows something, wherewith we shall not meddle as unconcerned in either of the Parties, whether *French* or *Spanish*. Thus teadious, we have been to give the Reader satisfaction concerning that Law, which has made such a noise in the World, and about which our Forefathers spent so much Bloud and Treasure.

Artic. 6. Artic. 16. Artic. 22. Artic. 1. Artic. 1.

145. The *Law Salick* consists of seventy and one Chapters. To it are added the Agreement or Treaty of Peace, betwixt the Kings *Childebert* and *Clothair*, as also an Edict or Decree of *Clothair*, together with certain *Capitula* or Chapters of *Charles* and *Lodowick* Emperours. There were other Laws of the *Alemani*, *Bajoarii* and *Ripuarii*, composed by order of *Theoderick* King of the *Franks*. What was wanting in the Laws of the *Franks*, *Alemans* and *Bajoarii* he added, what was amiss or savoured of Heathenism he repealed, and what he by reason of the long rivited Use and Custome, could not amend, afterward *Childebert* attempted, and *Clotair* fully performed. All these King *Dagobert* by assistence of the Illustrious men *Claudius*, *Judomagus* and *Agilulfus* revised, renewed, put into better Form, and delivered in Writing to every Nation. Of the Laws of the *Ripuarii*, here is not any mention, but Learned men believe them to be of the same Original. These *Ripuarii* or *Ribuarii* (not *Riparii*) inhabited the Region *Ripuaria* lying upon the River *Rura*, whence the City of *Ruremund* took its Name, which flows betwixt the *Meuse* and the *Rhine*. That they took their Name *à Ripis*, from the Banks of the Rivers, some have been of Opinion; but then they should have been rather called *Riparii*, which they never are in ancient Authours, and whereas the first Syllable in *Ripa* is long and also in *Riparia*, in the Word *Ripuaria* we reade it short. Of these Laws of the *Ripuarii* are extant, eighty nine Chapters. There are other Laws or *Capitula*, of *Charles* the Great, and other Christian Princes collected by *Ansegisus* the Abbat, and *Benedictus Levita* in seven Books, certain new *Capitula* of *Lothair*, and *Charles* the *Bald* being added. All these Laws first by *Tillius*, and then by *Francis* and *Peter Pithon*, being published apart were afterward Collected into one Body, together with the Laws of the *Wisigoths*, *Burgundians*, *Saxons*, *Lombards*, *Angili* and *Werini* and other Nations, by *Frederick Lindebrogius*, and are now every where extant.

Other Laws in use amongst the *French*.

Alias Bajoarii ut in Prologo.

Hoc constat ex Frodardo in Chron. ad A.D. 923. & Regin. ad Ann. 870. 881.

146. Amongst them all this is observable, that what *Tacitus* tells us of the ancient *Germans*, counting the time not by Days but by Nights, as our *Saxon* Ancestours used, and we at this day say Seven-night and a Fortnight, not a seventh day and a Fourteenth day, is by these ancient Writers practised. The same was in use in the time of *Charles* the Great, as appears by his Capitulary; where the Reader meets with the word *Allodium*, he must by it understand an Inheritance, which a Man might give or sell away as his own. In the punishment of Crimes they followed the same Course as our *Saxon* Ancestours, not to punish a Man with Death for Theft, and other Faults as at this day practised. To forsake the Prince or run away from their Colours, was reckoned amongst Capital offences, which were Crimes most infamous amongst the *Germans*, in the days of *Tacitus*. The Nation of the *Germans* being known to be given to drink, it was severely prohibited that none should invite their Fellow Souldier, or other to that diversion: If any were found Drunk, he was to drink Water till he acknowledged his Fault. Dice were likewise prohibited, Familiarity used also by the old *Germans*. Beggars there were none suffered, each Town being to maintain their Poor, or set them on work. Schools in all Cities were opened for Instruction of Youth. Usury was unlawfull as in the times whereof *Tacitus* wrote. Adultery was punished both by Gelding and Whipping. The ancient *Franks* used, the way of Tryal by cold and hot Water, and by Red hot Irons, as did the English *Saxons* and the *Danes*, a Custome of old much impugned by Religious men. They were wont also to decide their Controversies by *Duells*, as *Agathias* informs us; amongst the *Lombards*, Noblemen

Their counting of time.

Allodium what.

Their punishments of Crimes.

Lege Glossar. Lindebrogii. Allodia Germanico vocabulo significat quod familiæ velut Contentata sint & conjuncta sive ejusmodi inseparabilia à familia: Ein Alod. Id flagitium Heroes appellabant. Her enim sive Heir est exercitus, & Cassen deserere.

men used this way, and Slaves hot Water to purge their Innocency. Such were the Laws of the *Franks* in General, besides which we must not omit to tell the Reader, that the Law of *Fefs* or *Fees* in these times whereof we Write, seem to have been introduced, if not setled and perfectly formed amongst them, for we reade in *Gregory Turonensis* and *Aimoinus*, of Grounds assigned to Dukes and Great men, and the later expressly writes, that *Clodonæus* did deliver a place called *Milidunum Castrum* to one *Aurelian*, together with the Dukedom of the whole Region *Jure Beneficii*. Hence hear we so often of the *Leodes* or *Ludes*, which the Age following called *Vassi*, and thence *Vassals* came to be so named. Some contend, that from these our *Franks* the Tenures of *Fees* received their first Rise and Original; but this is a Paradox, and the General apprehension being that they came from the *Lombards*, concerning both the Original and Nature of these *Fees*, the Reader is to look for Satisfaction out of that part of our History, which respects *Italy* and the Kingdom of that People, we have dwelt too long upon this Subject; but that great part which this Nation hath acted, and still continues to act upon the Stage of the World, may excuse us: And here we dismiss the History of the *Franks* for this Period.

Sect. 1.

Alteserra in libro cui Titulus Origines Feudorum pro moribus Gallia.

CHAP. II.

The Dominion of the Visigoths *in* Spain *and* Gall, *Contemporary with the Constantinopolitan* Roman *Empire.*

SECT. I.

From the beginning of this Dominion to the Death of King Eurick. *The space of fifty seven Years.*

1. THE *Roman* Provinces every where being wasted, and the Empire going to Ruine, as we formerly shewed, on all sides and Quarters, one *Marcus* was by the legionary Souldiers saluted Emperour here in *Britain*, and presently again by the same light Humour removed out of the way, *Gratian* being substituted in his Room, who was also slain within four Months after his Election, and *Constantine* advanced to the Purple. *Constantine* being in much Favour with the People, rather for Fancy and Inclination they had to his Name, than that his Actions much deserved, a great part of *Gall* and also of *Spain* was at his Devotion; the minds of the Provincials being much of late exasperated, by the heavy and daily increasing Tributes and Impositions laid upon them by the Emperours. In *Spain* yet there were two Kinsmen of *Honorius*, by Name *Didymus* and *Verinianus*, who adhered to their Allegiance, and gathering together an Army confusedly, and as they could prepared to give stop to *Constantine*, who was reported to have a Design to pass the *Pyrenæans* out of *Gall*, but were by his Son *Constans* defeated and slain. The Army of this *Constans* consisted for the most part of those Nations, which having broken out of *Germany* into *Gall*, from the League and Agreement they had made with *Honorius*, were called *Honoriani*. By permission of *Constans*, they over-ran and spoiled *Spain*, as far as to *Palentia*, and when he returned back to his Father, were appointed to Watch and Guard the *Straits* of the Mountains, to the great Indignation of the *Spaniards*, who Grudged exceedingly that Strangers should be thus trusted before themselves, whose Fidelity to the *Roman* Name and Interest, was sufficiently known, and from inward Grudges they proceeded to contumelious Words and to Threats, that *Spain* would shortly provide it self of new Masters.

Vide Orosium, lib. 7. c. 40. Cassiodorum & Prosperum in Chronicis & Joann. Marianam de Rebus Hispaniæ, lib. 5.

2. But new Masters were shortly provided to their hands. For the *Honoriaci* we lately mentioned, whom Nature it self obliged to be kind and Friendly to the *Vandals*,

Sect. 4.

An Irruption of the Barbarians into *Spain*.

Vandals, *Alans*, *Suevi* and *Silingi*, not long before let by *Stilico* into *Gall*, privily made an Alliance with them; and opening this passage which hitherto had been shut against them, brought them into *Spain*. The cause of these Nations, their changing their Habitations, was the great Fear they were in of the *Goths*, who by Virtue of the Agreement made with *Honorius* being to settle in *Gall*, they suspected their sufficiency to Grapple with them, and make good their Ground. Their Irruption into *Spain* was attended, as is usual, with the greatest Calamities. With all Barbarism and Cruelty, they invaded the Fortunes and Estates, both of *Spaniards* and *Romans* without any difference, the Towns they plundered and demolished, and depopulated all the Country. Hence insued a Famine, and that so great, that one Man was constrained to feed upon another, and Wild beasts on him.

A Famine.

A Plague.

Famine by reason of such unnatural Feeding, seldom goes without a Plague, which was now so grievous, that innumerable multitudes were destroyed, yet not at all pityed but envied by the Survivers, who were to conflict with many Miseries worse than Death it self. *Spain* therefore being left in a manner destitute of Inhabitants, the barbarous Invaders with all Freedom, might chuse out places to themselves, wherein to fix. To the *Suevi*, and part of the *Vandals*, *Galæcia* fell, being then much larger than afterward, for it comprehended within its bounds all the old *Castile*. *Lusitania* with the Province of *Carthagena*, fell to the share of the *Alans*, the *Carpetani* and *Celtiberians* excepted, who continued in their Fidelity to the *Romans*. To the *Vandals* and *Silingi*, *Bætica* was assigned. The King of the *Suevi* was *Hermenrick*, the King of the *Alans*, *Ataco*, and *Gunderick* of the *Vandals* and *Silingi*. This Partition being made, they concluded a Peace with the *Romans*, the ancient Traffick returned, and the Cities began to be inhabited as formerly. For the *Spaniards* partly out of Novelty, partly provoked by the Burthens laid on them by the *Romans*, preferred their new Slavery before their old; although some refused earnestly to submit to the Barbarian Yoke, especially in *Galæcia* where the *Suevi* had to doe. This Irruption happened *A. D.* 409. or thereabouts in the fifteenth Year of *Honorius*, and the second of *Theodosius* Emperours, the same time that *Alaricus* besieged *Rome*, *Honorius* the eighth time, and *Theodosius* the third time being Consuls.

Invasion of the Barbarians.

Hermanrick, militibus pollens, idem quod Ermanarick. Gund. Grick. Rich in Good Will.

3. In the mean time one *Maximus* in the hithermost *Spain* is saluted Emperour by the means of *Gerontius*, a Count, who thus served his ends of Envy and Malice against *Constantius*. He marched into *Gall*, but both he and all other Tyrants quickly miscarried, and that Countrey became fully again at the Dovotion of *Honorius*, who for a Guard to both the Provinces, appoints the *Goths* to the Roots of the *Pyrenæan* Mountain. By this time *Alaricus* their King was dead, and *Athaulfus* had succeeded him, who by the Allurements of his Wife *Galla Placidia*, was drawn to make a Peace with *Honorius*, and by Virtue thereof drew his Forces out of *Italy*, into these Confines of *Gall* and *Spain*, both which being by *Honorius* given to the *Goths*, he placed the Seat of his Kingdom at a Town known afterward, by the Name of St. *Ægidius* in the Province of *Narbon*. Hence have we that part of *Gall* sometimes signified to us by the Name of *Gallia Gothica*, and great Wars happened betwixt these *Goths* and the *Romans*, sometimes also with the *Franks*, as we have seen, who at length expelled them out of these Quarters. But at this time, neither did they make any great stay in *Gall*, for as *Orosius* writes, they were expelled out of *Narbon*, and constrained to go into *Spain* by *Constantius* the Count; the Cause seeming to be this, that they had provoked the *Romans*, by setting up again *Attalus* the Usurper in *Gall*, whom formerly they had compelled to quit the Title. *Athaulfus* was a Man not made for much opposition, being of a peaceable Temper and Inclination, acted by which as he endeavoured to compose the difference lately risen with the *Romans*, his Men conspired against his Life, and one *Vernulfus* some call him *Debbius*, a fellow of a Dwarfish stature, but pregnant Wit took his opportunity and ran him thorough, to revenge the Death of his Master formerly slain by the King's Command; with him perished some Sons, as appears from his Epitaph at *Barcetona*, which some count Authentick, but others esteem it made in much later times. It signifies, that this *Athaulfus* was the first who dared to descend down the Mountains into *Spain*. Which he did in or about the 414th. Year of our Lord, the twentieth of *Honorius*, and the seventh of *Theodosius*, *Constantius* and *Constans*, Father and Son being Consuls, as some reckon, who must not be accounted the same with the Tyrant, and his Son lately mentioned, but that *Constantius*, to whom *Honorius* a little after gave the Title of Emperour.

Alaricus King of the Goths dyes, Athaulfus succeeds.

Otho Frisingensis Chron. lib. 6. c. 21. Ado Viennensis ad A. D. 410. Inde universis Provincia Narbonensi sive Gothia nomen, Provincia Sancti Ægidii.

Who is Stab'd.

Lib. 7. c. 43.

Atha-ulf. Jornandes Auxiliator. A sworn helper, Atha in English Oath, half & ulf. help.

Bellipotens vallida natus de gente Gothorum, Hic cum sex Natis Rex Atavus hinc fuit. Avolfi ex stirpe patras primus deducit in orbem, Quem comitabantur millia multa virum. Gens tua tunc natos & te imitatur avitos, Quorum post amplexa est Barcino magna gementi. Ambros. Moralis Chron. Hisp. l. 11.

4. Into

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Sigerick set up for King.

4. Into the place of *Athaulfus* was *Sigerick* promoted, a Man of approved Conduct both in Peace and War, and of beautifull Personage, onely a little lame, his Thigh having been bruised by a fall from his Horse. However his former demeanour might win upon the Souldiers when King, they now interpret all things in the worst sense, and lay the same things to his charge, which they had done to his Predecessours. He was blamed as lazy, at least as too much inclined to Rest and Peace, and as guilty of the same Crime they imposed on him the same Punishment, making him away, when he had not reigned one full year. The next they made Choice of was for their turn, as unquiet and busie as any one living, his Name *Walia*. At his very beginning he attempted an expedition into *Africk*, some thought out of Desperation, the *Romans* by *Constantius* pressing him hard on one hand, and the Barbarians, which had already seated themselves in *Spain* on the other. Others ascribe it to his desire of Conquest; but however it was, his Fleet gathered together in the straits of *Gibraltar*, was broken so, and shattered by a Tempest, that he was forced to retreat into *Spain*, and there made a Peace and Alliance with *Constantius* upon these Terms: "That *Placidia* the Wife of *Athaulfus*, "promised to *Constantius* by the Emperour her Brother should be restored; that "the *Goths* should prosecute with War these Barbarous Nations that had seized on "*Spain*, and what Places and Territories they could recover out of their hands, "should fall to and be annexed to the Roman Empire; they retaining what they "had already got in *Gall* and *Spain*. In prosecution of this League *Walia* made an Expedition against the *Alans* in *Celtiberia*, who now aspired after the Empire of whole *Spain*, and killing *Attace* their King, with many of his Followers in Battel, forced such as remained alive to forsake *Lusitania* (now *Portugal*) and to betake themselves into *Galatia*, where being mingled amongst the *Suevi*, they lost both their Name and Nation. But see the vicissitude of success, and of Humane Affairs! The *Alans* had not long before domineered over the Neighbouring Nations, constraining the *Vandals* and *Silingi* to forsake *Bætica*, and to flie for Refuge into *Galatia*, to the *Suevi*, that joining their Forces with them, by their Assistence they might recover their former Seats. With this success they were so puffed up, that our *Alani* set upon the *Romans*, and recovered several Cities out of their hands. But now are they sunk and buried in Oblivion by the means of *Walia*. Onely *Alanquer, a Town situate not far from *Lisbon* (formerly called *Jerabrica*) and *Alanis*, a Village in the Mountains of *Hispalis* or *Sevil*, are by some thought to have taken their Names from them.

But made away. *Walia* next chosen.

Who destroys the *Alans*.

Walia, his Expeditions, well successful.

*Ab Alanis Alanqueram patriam suam dictam non incitè putat Damianus a Goes; dictam vero Alanqueram corrupto vocabulo, pro Alan per quam hic eit Alanorum Patrum. Keyck Scotis Indic.

5. The design of *Walia* was not completed with the Conquest of the *Alans*; from them he converted his Victorious Arms against the *Silingi*, a sort of *Vandals* inhabiting *Bætica*, whom in like manner he subdued, and by their Example the other *Vandals* and the *Suevi* were persuaded to truckle and give good words to the *Romans*, the Hirelings of whom the *Goths* onely seemed to be in persecution of the Quarrel. *Walia* in reward for his good service had the second *Aquitain* bestowed on him, or rather restored by the Emperour, together with some Neighbouring Cities, viz. of *Novempopulania*, even all as far as from *Tolouse* to the Ocean. Here he reigned in quiet, but would not suffer the *Vandals* in *Spain* to enjoy their rest, but so ferreted them from one Receptacle to another, that finding this Countrey too hot for them, they passed over into *Africk*, glad to accept of a slender Invitation, where making great devastations, they setled themselves for some years, till at length, as we shall see at large, they made Shipwreck of all their Fortunes. *Walia* died at *Tolouse*, the Royal Seat of the *Goths*, but at what time, or after how many years we cannot certainly tell the Reader. *Isidore* ascribes but three to his Reign, as now we reade him, and accordingly do most of the Modern Historians reckon, though * *John Vasæus* pretendeth to have discovered an Errour in the Text of *Isidore*, as also in *Sigebert*, where instead of two ought to be read two and twenty; for so many doth he affirm that *Walia* Reigned, strengthening himself as he alledgeth with the Testimonies of *Prosper* and *Orosius*, whom he would draw in as Patrons of his Opinion. Others give ten years to his Reign, so obscure are the Testimonies we have of these Ancient Times, that whereas also some place the attempt of *Walia* to invade *Africk* at the beginning of his Reign; Others fix it at the end thereof, affirming that his Hatred against the *Goths* was not terminated with the bounds of *Spain*, but that had he not been prevented by death, it would also have pursued them into that part of the World.

Drives out the *Vandals*.

Dies.

Theodorick succeeds.

Prosper in Chron. Idacius, Isidorus, Sidonius Apollinaris.

Ita intelligendus Idacius ex Editione Scaligeri, cum scribit Constantium Gothis sedes petiisse in Aquitania à Tolosa usque Oceanum, hi enim sunt fines Aquitaniæ secundæ & Novempopulanis. Sed amplexus longe sines diuturnis Gothicæ ponat, si qua fides des Idacio edito à Scaligero, nempe à mari Pyrhæno & Rhodano usque ad Ligerim & Oceanum quibus finibus continetur utraque Aquitania, prima & secunda, sed cave ne credas. * In Hisp. Chron.

6. To *Walia* succeeded *Theodored*, as some call him, or *Theodorick* as others, to others known also by divers Names. His Predecessour had been so true to the Ro-

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mans, that according to Agreement, he had put the Places Conquered by him into their hands, and therefore in *Spain*, where the *Suevi* now carried all before them, the Dominion of the *Goths* was included within narrow bounds, where now inhabit the *Catalauni*. But in *Gall* he became very formidable, taking now more delight to inlarge his Territories on this side the *Alps*, where breaking the League with the *Romans*, he laid siege to *Arles*, one of the most noble Cities of the Countrey, which with all industry and resolution he attacked, but was by *Aetius* the Patritian forced to raise up and withdraw his Army. After this he attempted *Narbon* but with the same success, *Aetius* still attending his motions and frustrating his designs. He had better success against *Littorius*, a Roman Captain, who taking to his assistence the *Hunns*, with all Animosity made War upon the *Goths*. As he passed through the Countrey of the *Arverni*, *Avitus* met him, put his Forces to flight, and killed an Hunnish Trooper in a Duell, as *Sidonius* tells at large in the Panegyrick he wrote to him. By this Defeat *Littorius* was not discouraged, but consulting the Aruspices, he ventured to give Battel to *Theodorick* at *Tolouse*, and that with such Courage and Conduct, that he slew a great number of the Enemy, and the Victory had been uncertain, but that being taken Prisoner, he reaped the due Fruits of his Credulity and Superstition. So write with one consent *Prosper*, *Aquitanus*, *Idacius*, *Isidore*, *Sigebert*, and *Rodericus Toletanus*. Onely *Jornandes* relates that they came off on equal terms, and the Controversie was taken up by agreement, making no mention of the Case of *Littorius*, which considering he was a *Goth*, and a King no Friend to such, is very strange.

Gregorii Turonens. Theodoricus, Ildefonsus Theodericus, Idacius Theodericus, Jornandes Theodericus, Prosper, Idacius, Isidorus.

Who besieges *Arles*.

And *Narbon* but is forced by *Aetius* the Roman General to quit them.

Littorius murthered.

7. It appears from *Salvian* that *Theodorick* before the Battel had used all means for a Reconciliation, having sent several Bishops to *Littorius* to persuade him, and bring him unto terms. Moved now by the same Reasons, he made use of his late Victory to obtain an Honourable Peace, which was immediately clapt up betwixt the *Goths* and the *Romans*. This Peace was prudently concluded for the benefit and advantage of the *Goths*, though this their Society with the *Romans*, proved fatal to their King himself. Within three or four years *Attila* with an innumerable multitude of *Hunns* breaks into *Gall*, where he takes and burns the Towns, spoils the Countrey, and kills the Bishops as well as other Lay-Persons at his pleasure. *Avitus* hereupon is by *Valentinian* dispatched on an Embassy to *Theodorick* to lay open the common danger, wherein all those that had any shares in *Gall* were involved. *Anianus* the Bishop of *Orleance*, being besieged in his City, betakes himself to him, and to *Aetius*, desiring that by a speedy succour they would prevent the ruine of the place. *Theodorick* then leaving four of his Sons at home, *viz. Frederick*, *Turick*, *Rotemir* and *Himmerit*, takes his two eldest *Thorismund* and *Theodorick* along with him; and joins his Forces with those of *Aetius*, and *Meroneus* King of the *Franks*. *Attila* is obliged to raise his Siege, and into the Catalaunian Fields they all draw off to dispute the Quarrel, where, as we have already hinted, *Theodorick* was wounded with a Dart, and falling from his Horse, was by the stroaks of his Heels dispatched, after he had Reigned two and twenty years, leaving behind him six Vigorous and Courageous Sons, besides two Daughters, one Married to *Hunnerick* the Son of *Generick*, King of the *Vandals*, who out of jealousie that she had a design to poison him, cut off her Nose, and sent her thus deformed back to her Father, as *Jornandes* tells us. Another Married into *Spain*, to *Recciarius* King of the *Suevi*.

De Gubernat. l. 7.

An invasion of the *Hunns*.

Theodorick kill'd.

Frid-rick, Rich in Peace, Turick, Durable, Rotemir, Prince of Quiets, Himerit, Having Domestick Horse. *Him*, Home, *Rita* Equitatus. Thence *Rhitta* a Rider, and a Knight in Dutch. Our Rider not much altered from it.

8. *Theodorick* being slain, *Thorismund* his Son was by *Aetius* craftily diverted from pursuing the War against the *Hunns*, whom he desired not to have utterly overthrown, but to keep them as a Balance and Check upon the *Goths* and *Franks*. By his advice he hasted to *Tolouse*, lest his Brother should attempt any thing contrary to his Interest, and there by universal consent was received as King. Being impatient of rest, or out of disdain that by *Aetius* he had been diverted from revenging his Father's death, he broke the League made with the *Romans*, and laid siege to *Arles*, but by the persuasion of *Ferreolus*, the Governour, was so wrought upon, that he broke up his Camp and departed; which passage *Sidonius* mentions in an Epistle to the Governour, using this expression, That he removed this most fierce King from the Gates of *Arles*, by a Dinner, whom *Aetius* could not have stirred with an Army. From the same *Sidonius* we may learn that at this time the Dominions of the *Goths* reached as far as the River *Rhodanus*, the Guest of which he calls this *Thorismund*, who shortly after had an occasion offered him of shewing the Zeal he had for the revenging his Father's Death. *Attila* on a fresh invaded *Gall*, and by *Aetius* his permission marched against the *Alans*, who had seated themselves beyond

Thorismund succeeds.

Thorismund Fervax ore, *Mard*, Mouth, *Saxrichsine* Eadmund, Peace of the Mouth. *Jornandes* c. 41.

Ep. 12. lib. 7.

Who drives *Attila* and his *Hunns* out of the Countrey.

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beyond the *Loire*. *Thorismond* perceived the weight of the War would fall at length upon himself, and therefore took the best Course to begin it, and drive it off, before it should come to his own Doors, which he did so effectually, that he drove it not onely from his own Doors, but from *Gall* it self, obliging *Attila* to quit the Countrey.

9. This success he had abroad, made him Cruel and Tyrannical at home, as by some Authours he is represented, and that to such a Degree, that his Brothers and Subjects could not bear him. Being fallen into a Distemper, and for that Let-bloud, he was slain in his Chamber by some, that the Conspiratours had perswaded to the Treason; but to the Murtherers he sold his Life at a dear rate (as our *Richard* the second is said to have done) dispatching some of them in the Conflict with a Footstool, or rather with his * Penknife. *Isidore* tells us, that he Reigned one year, and carrying himself insolently, was slain by his Brothers *Theodorick* and *Frederick*. Thus happens it, that when a Man is slain, whether Murthered or in a Duel, to preserve the Life and Fame of the Living, the dead is usually killed over again in his Reputation: However *Thorismund* might in some Respects be to blame, we are informed by *Gregory Turonensis*, that the *Goths* having not yet shaken off Barbarism, had this detestable † Custome, that if any of their Kings displeased them, they made no difficulty to kill him, and appoint whom they pleased to succeed him. Therefore did the Fathers in several Councils assembled at *Toledo* by many Canons, provide for the security of those Kings that Reigned over them, as by their Christian Duty and Allegiance, they were obliged. *Isidore* to the Government of *Thorismund*, gives but a Year. Others say he died in the third Year of his Reign, and there are that lengthen it to the sixth, though with much less probability.

* *Scalpello, ita enim legendum apud Jornandem, non Scabello memner nin nemo, ut Joannes Vasæus Hisp. Chronic. ad An. D. 456. ex eo alii.*

† *Sumpserant gubi hanc detestabilem consuetudinem ut quoties eis de Regibus non placuisset, Gladio eum appeterent, & qui libuerit animo hunc sibi statuerent Regem* Lib. 3. c. 28. Concil. Toletan. 4. c. 75. Tolet. 5. cc. 3. & 8. Tolet. 6. cc. 14. 17, 18. Tolet. 15. c. 1.

Thorismund murthered.

10. To *Thorismund* thus murthered succeeded *Theodorick* the second, his Brother, a Prince whose Morals were stained by his Brother's bloud, and his Religion with the *Arian Heresie*, but otherwise of excellent Accomplishments both of Mind and Body, if we give Credit to an elegant Epistle of *Sidonius*. He had a Wife called *Ragnachild*, for whose use in bathing *Euodius* procured a silver Vessel to be made, and *Sidonius* some ingenious Verses to be ingraven on it, which he left written amongst his Epistles; whence some Conjecture, that this is she which is meant by *la Reyne Pedanque*, which the vulgar of *Tolouse* have so often in their Mouths, as mightily delighted with Baths and Water. Not long after the Succession of *Theodorick* was *Valentinian* the Emperour murthered, and *Maximus* invaded the Purple and Government, who made *Avitus* formerly mentioned, an *Arvernian* by Birth, his *Magister Militum*. At this time *Avitus* was Ambassadour at *Theodorick* his Court about making a strict League and Alliance, who used such Arguments, and gave him such Incouragement, that he assumed the Title of Emperour at *Tolouse*; afterward was both by *Goths* and *Romans*, saluted *Augustus* at *Arles*, or rather at a Castle called *Vgernum* near to that City, which done, he went to *Rome* and was kindly received. In Consideration of the assistence afforded him at this time by *Theodorick*, he gave him Liberty to enter *Aquitain*, which he did with a very great Army, and there demeaned himself, as he himself pleased. But the Gratitude of *Avitus* was not confined within the Bounds of *Gall*, but reached to *Spain* also, where he granted to the *Goths* whatever Territories could be recovered out of the hands of the *Suevi*. After the departure of the *Vandals* into *Africk*, the power of this People became very terrible under the Conduct of *Hermenerick* their King, who dying at length of a tedious Disease, was succeeded by his Son *Rechila*, a Young man of extraordinary Courage and Activity.

Theodorick the second succeeds.

Lib. 1. Ep. 2. ad Agricolam.

Lib. 4. Ep. 8.

Frid-rick, Rich in Peace, Turick, Durable. Rotemir, Prince of Quiets. Himerit, Having Domestick Horse. *Him*, Home, *Rita* Equitatus. Thence *Rhitta* a Rider, and a Knight in Dutch. Our Rider not much altered from it.

Idacius.

Sidonius Carm. 7.

Isidorus.

Who Harasses *Gall* and *Spain* at Pleasure.

11. Treading his Father's steps, he conceived the like hopes of bringing whole *Spain* to his obedience. *Andebolus*, who was sent by the Emperour to secure his Interest in the Countrey, he overthrew and killed at the River *Singilis*. Having by this Victory got much Riches, he fell upon and subdued all *Bætica*, having defeated the *Silingi*, and got the City *Hispalis* or *Sevil*, which had at this time been much distressed, and weakened by the Wars. Thence turned he his Victorious Arms upon *Lusitania* where he took the City *Emerita* and destroyed quite the small remainders of the *Alans*, a great Advantage being given to the Increase of his Power by the departure of *Sebastian* the most valiant *Roman* General; who going into *Africk*, was there slain by the *Vandals*. *Rochila* that he might take off the Emperour and keep him quiet till such time as he had dispatched his other business, put into his hands *Carpentania* and the Province of *Carthage* or *Carthagena*, which he had lately Conquered, according to Agreement; then not long after was taken off in the middle of his Carriere, dying at *Emerita* a *Pagan*, as we have

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it from St. *Isidore*, after he had Reigned about eight Years. His Son *Recciarius* succeeded him, the first Christian King of this Nation, who having obtained in Marriage the Daughter of *Theodored*, or *Theodorick* King of the *Goths* was thereby much elevated in his Hopes and Expectations. Some have delivered it for a Truth, that he was present at the Battel fought with *Attila*, following therein the Example of his Father-in-Law. It's certain that he fell upon the *Vascons*, who lived under the *Roman* Obedience in that part of *Spain*, where now *Navarre* is situated, and afterward going to visit *Theodored* procured from him such assistence, that invading the *Tarraconensian* Province subject to the *Romans*, he took the City *Cæsar Augusta*; he harassed the Province of *Carthage*, which his Father had resigned to the Emperour, and afterward returned home being Master of *Bætica*, *Lusitania* and *Galæcia*, and aspiring to the Dominion of the other parts of *Spain*.

Marries his Daughter to *Recciarius* King of the *Suevi*.

12. But as the Alliance of *Theodorick*, gave him opportunity and advantage to raise such Hopes of Dominion, and Sovereignty to himself, so by a Change of Fortune came they to be blasted and overturned by *Theodorick* his means, not the Father but the Son, one who would not account himself obliged to stand to the same Terms of the Alliance. *Avitus*, as we said, had for the Assistence afforded him in obtaining the Imperial Dignity, passed over to him, whatsoever of *Spain* could be recovered from the *Suevi*. He resolved no link of Marriage or Alliance should divert his Inclinations to inlarge his Dominion; but some specious pretext must be found for making a War. Considering the Temper of *Recciarius*, he takes this Course. "He admonishes him by a solemn Embassy, not to transcend the "bounds of Modesty, not by injuring and oppressing his Neighbours, to provoke "the Indignation and Hatred of other Nations. He tells him, that Kingdoms "and Empires are best founded upon Equity and Justice, that by Ambition and "Cruelty they fall and dwindle to nothing, and in Conclusion, that if he did not "desist from offering violence to the Subjects of the *Roman* Empire, he must not "be wanting to that Duty which he ought it, being so exceedingly obliged by "those great and many Favours he had received from those which now sate at the "Helm thereof.

13. The Device took according to his Wishes, for *Recciarius* received the Message with great Stomach and scorn, returning for Answer, "that shortly he would be at "*Tolouse* and make Tryal whether the Nation of the *Goths*, or that of the *Suevi* was "more valiant, and decide the whole matter by dint of Sword. *Theodorick* hearing this resolved to prevent him, and joyning to his own Forces the Auxiliaries of the *Burgundians* and *Franks* passed the *Pyrenæans*. He marched on to the River *Urbicus*, which flows by the City *Hiberia* and *Asturica*, twelve miles from which in the Borders of *Gallicia*, he gave Battel to *Recciarius*, whom after a vast slaughter made of his Men, he compelled to run for his life, and not daring to trust to any place in *Spain*, to take Ship for *Africk*. The winds were so contrary, and his approaching Fate so pressing, that he was driven into the Port of *Cale*, where the River *Durius* falls into the Ocean (called by Writers the City *Portugal*, or *Portugal*) and there being taken, was put to Death by Command of *Theodorick*. The Conquerour after this Victory took the City *Bracara* supposed by some to have been the Royal Seat of the *Suevi*: He subdued all *Gallicia*, and extending his Victorious Arms into *Lusitania* departed back into *Gall*, leaving one *Aciulph* Governour of his new Conquests in *Gallicia*, who being no *Goth* (as *Jornandes* is concerned to tell us) but descended of the Bloud of the *Warni*, and so neither regarding Faith, nor Liberty, presently began to usurp and set up for himself, drawing the *Suevi* into the Conspiracy. *Theodorick* was now sufficiently busied in *Gall*, where falling out with *Majorianus* the Successour of his Friend *Avitus*, he wasted the *Roman* Territories as far as the *Rhosne*, and taking the City of *Lyons* plundred and much defaced it with Fire. But he sent two Captains *Nepotianus* and *Nericus* into *Gallicia*, against the Usurper, having ordered *Ceurila* into the Province of *Bætica*.

Ric-Arc, Hicus diver.

He beats *Recciarius* out of *Spain*.

Subdues *Gallicia*.

The Governour thereof revolts.

Ex Jornand. & Isidro qui tamen fuga Maritima non meminit.

Ad locum Pottem capitur, ad quæ verba in margine apponit Gruterus: Forum Cale.

Hinc nomen tui Regno, postea attributum. Sed de hoc alii aliter, derivant enim Portugallia nomen à Portu Galæciæ.

14. To *Ceurila*, who on a sudden, and when they least imagined such a thing fell upon them, the Inhabitants of *Bætica* presently sent Messengers giving up themselves to the Dominion and Authority of the *Goths*. They deny that they had consented to the Practices of the rest of the *Suevi*, that they had conspired against the *Romans*; they offer to give Hostages and assist with Provisions the *Gothick* Army. So was *Bætica* reduced without any Effusion of Bloud, while in *Gallicia* there was much opposition: But at length *Aciulph* was defeated in Battel, and being taken was put to Death. The *Suevi* thought now it was high time to ask pardon, which they procured by the Intercession of certain Religious Persons, and

Agi-hulph, Sili Auxiliator.

But at length is subdued by *Theodorick* the third.

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and not onely that but which was something strange, Licence and Authority to make choice of a King or Regulus to govern the remainders of their Nation. Coming to the Election they could not agree amongst themselves. Some chose *Franta*, for their Prince, but another Faction would have *Masdra* or *Maldra*. But within two years or thereabout *Masdra* was slain by his own People, and had for Successour *Remismund* (some call him *Rechimund*) his Son, who entring into League with *Franta* (yet some say *Franta* died before *Masdra*) with joynt Forces invaded *Lusitania* now again, it's uncertain how, reduced to the obedience of the *Romans*. *Franta* dying not long after, *Frumarius* was chosen in his Room, betwixt whom and *Remismund* fell out great Contentions about the Sovereignty. But *Frumarius* dying, he then with ease obtained the Monarchy, and with great Forces invading *Lusitania*, took *Conimbrica* by Treachery, and had *Olisipò* (*Lisbon*) delivered up into his Hands.

Vide Joan. Vasæum Hisp. Chron. ad Ann. 458, 480.

15. He now contemned the Power of the *Romans* in *Spain*, but that of the *Goths* he dreaded from late experience. He sent to *Theodorick*, desiring to enter into a strict Alliance with him, professing all Friendship and observance, as a tye and Link of which he desired his Daughter in Marriage. *Theodorick* shewed no Averseness to a Complyance, but sent him his Daughter under Conduct of *Salunus* one of the chief of his Nobility, who at his return found the Affairs of the *Goths*, in a quite different posture from what they were at his departure: *Theodorick* having taken advantage at the Stirs and Disturbances, which were ever and anon arising amongst the *Romans*, whose Power was now almost dwindled to nothing in the West, reduced *Narbon* under his obedience, having by great Promises prevailed with *Ravennius* the Governour to yield it up. But as his matters prospered in this manner, his Dominions being inlarged in *Gall*, and the greatest Potentates in *Spain*, Courting him, Justice though it came something late, yet paid him home at last, for the violence and Treachery he had used toward his Brother, being murthered in like manner by his other Brother *Euricus* after he had Reigned thirteen Years. *Eurick* easily made himself Master of the Kingdom, who considering that *Remismund* King of the *Suevi*, might be induced by his Wife, and the flatteries of his prosperous Fortune, to attempt a revenge of his Father-in-Laws Death, thought it best to be before-hand with him. Being Ambitious also and Haughty, he burnt with desire of expelling the *Suevi* out of *Lusitania*, and by a clear removal of the *Romans*, to become Master of all *Spain*.

Theodorick the third Marries his Daughter to *Remismund* King of the *Suevi*.

Takes *Narbon* from the *Romans*.

He is murthered by *Euricus* his Brother who succeeds.

In ejus nomine variant Scriptores Jornandi & Isidoro Euricus, Sigiberto & aliis Euricus, Sidonio & Gregorio Turonensi Euarix. Euaricus, Legibus pollens.

16. *Spain* was at this time cantonised under three several Nations. *Gallicia* with part of *Lusitania* obeyed the *Suevi*. *Bætica* and the *Catalauni* were subject already to the *Goths*; and the *Carthaginian Tract* with the *Carpetani*, and almost all the rest of *Spain* continued still in obedience to the *Romans*. *Eurick* having first made an Alliance with *Leo* the Emperour, who Reigned in the East, with a great Power of his *Goths* invaded the farther *Spain*, where he over-ran *Lusitania* without any considerable opposition, by his Lieutenants took *Pompelona* and *Cæsaraugusta*, then in the hands of the *Romans*, and in his retreat after a long Siege subdued the City *Tarracon*, which he levelled with the Ground. So were the *Romans* driven quite out of *Spain*, and their Empire there utterly overthrown and removed after well nigh seven hundred years Continuance, all this Countrey now remaining to the *Goths*, except *Gallicia* which as yet acknowledged the *Suevi* for Lords. *Eurick* his Appetite was the more Whetted by this Success, and having done so much in *Spain*, was unquiet to think that his Neighbours in *Gall* should not at all feel and acknowledge the effects of his Valour, but the facility of the Enterprize added to his Impatience, the Western parts of the *Roman* Empire being now all full of Confusion, while each barbarous Nation caught what it could, and being intent upon what it had fixed its Eyes, neglected what lay at a farther distance. The *Roman* power now expiring, *Arvandus* and *Seronatus*, who commanded the Forces in *Gall*, understanding his strength, to curry Favour with him, invited him to seize on the adjoyning Provinces, while he might so easily accomplish what he should but undertake. The Treason of these two Ministers was discovered and punished; that of *Seronatus* by Death, and that of *Arvandus* by exile, as it had deserved; but a greater Instrument was now also at work, which moved with far more Interest and Success.

Spain under a threefold Government.

Eurick King of the *Goths* drives the *Romans* quite out of *Spain*.

Qui aliis Arvandius Cassiodoro est Ardaburius Paulo Diacono. Ex Sigeberto Servandus.

Rem fuse narrat Sidonius, l. 1. ep. 7.

17. This was *Genserick* the *Vandal* King in *Africk*, who, that he might keep what he had got in that Countrey indeavoured to make work enough for the *Romans* on this side of the Sea. He propounded great matters, not onely to *Eurick* and his Western *Goths*, but to the *Ostrogoths* also, the Captain whereof *Vindemir* having

Sect. 2. having had ill succeſs in *Italy* came into *Gall*, and there joyned with *Eurick*, who was now waſting the Countrey far and wide with Fire and Sword. *Epiphanius* the Biſhop of *Pavia*, in vain requeſting him to hold his hand. The *Caturci*, *Lemovices* and *Gabalitani* were forced to ſubmit unto the *Goths*, and notwithſtanding the aid which *Riothimus* the Regulus of the *Aremorican Britains* brought to the *Romans* at the Solicitation of *Athemius* their Emperour, yet he ſtill proceeded in his Conqueſts. *Arvernum* (now *Clarmont*, not far from that Hill on which ſtood *Gergonia*) was delivered up after a tedious and fruitleſs Siege, the chief City of *Aquitain*, which had been the Rampart and Fence againſt his Fury: He had before Conquered the beſt part of *Gallia Narbonenſis*, having made himſelf Maſter of *Arles* and *Marſeilles*, the two moſt noble Cities, and now by Virtue of the Agreement made betwixt him and *Nepos*, all that lay betwixt the two Rivers, *Rhodanus* and *Ligeris* he was to enjoy, Writers obſerving that with this River he bounded *Aquitain*. Over the *Arverni* he made one *Victorius* Governour by *Gregory Turonenſis* called a Duke, and by *Sidonius* mentioned with the Title of Count. His principal Councellour and Miniſter of State was *Leo* born in the Province of *Narbon*, a Man very learned amongſt Barbarians, and celebrated by *Sidonius* for his Eloquence, and his excellent Skill both in Poetry and the Civil Law. As for *Eurick*, he died when he had Reigned ſeventeen Years, being the firſt King who gave written Laws to the *Goths*, (ſo as his Name may ſeem given to him in way of Prophecy) who were formerly governed by Cuſtome onely. In his Reign the *Theodoſian Roman* Code was diminiſhed in Reputation, and the Laws called *Leges Theodoricianæ*, were advanced and obtruded upon the Provincials, *Seronatus* the *Roman* Governour conniving at it, or rather furthering the deſign, as *Sidonius* complains of him. Theſe *Gothick* Laws were called *Theodoricianæ* from the *Theodoricks*, Kings of that Nation, not that they were Authours of them, for *Eurick* publiſhed them, as *Sidonius* knew well enough, but by a *Paronomaſia* he terms them *Theodoricianæ*; becauſe the other were called *Theodoſianæ*. Being now firſt publiſhed by *Eurick*, they were ſome Years after inlarged and amended by *Lennegild*, as we ſhall farther hint in due time and place.

Carm. 23. *Epiſt. l.* 8. *ep.* 3. *& lib.* 9. *ep.* 13.

King *Eurick* dies.

Iſidorus, *Sidonius*, *in*, *lib.* 8. *ep.* 3.

Leges Theodoſianas calcans, Theodoricianaſque proponens. *Sidonius*, *lib.* 2. *ep.* 1.

SECT. II.

From the Death of Eurick *to that of* Roderick, *and the Ruine of the Kingdom of the* Goths *in* Spain *and* Gall.

The ſpace of two hundred and forty years.

Alarick King of the *Goths.*

1. EUrick being dead, *Alarick* his Son ſucceeded by the univerſal Conſent of the People, about the time that *Theodorick* the *Oſtrogoth* had made himſelf Maſter of *Italy*. This Prince having obtained the Dominion of that Countrey, was not wanting to himſelf by fit means and methods to ſecure his Intereſt. Conſidering that the *Franks*, *Burgundians*, and his Kinſmen the *Viſigoths* were all powerfull Nations, who now had cantoniſed *Gall* amongſt them, he endeavoured by Alliances and Affinity to unite their minds, and prevent thoſe Troubles, which he knew the fierceneſs of their Spirits, as yet half Barbarous, might elſe raiſe in the Weſtern parts. Therefore did he marry the Daughter of *Clodonæus* King of the *Franks*, who was now made a Chriſtian, and of two Daughters which he himſelf had by a Concubine, the one he gave in Marriage to *Alarick*, and the other to *Gundibald* the *Burgundian*. But theſe ties were too weak, to bound and reſtrain the Appetite of the *Franks*, whoſe King impatient of Reſt, gladly caught hold of the advantage which the difference of Religion afforded. The Provincials, or the People which were ſubject to the *Goths*, being of the Orthodox party, were indeed much irritated by the *Arian* Zeal of their Kings, *Eurick* eſpecially, which Tranſported him ſo far, as to raiſe a very great Perſecution. *Pagans* they deſired to ſubmit to, rather than *Hereticks*, knowing that that Idolatry and Superſtition were now become out of Faſhion, the Deriſion of the World, and therefore there could

Alricich, Omnibus rebus pollens, Rich in all.

could no inconvenience ariſe from thence, which in any Probability could be laſting. The fury of *Eurick* his Perſecution drove many, eſpecially Religious Perſons from their Habitations, who flying for refuge into thoſe parts of *Gall*, that were ſubject to the *Franks*, carried the heat of Indignation along with them, which kindled the Deſires of that People, and cauſed the Ambition of *Clodonæus* to break out at length into a mighty flame; *Alaricus* though otherwiſe an accompliſht Prince, fought not how to extinguiſh the Flame by withdrawing the matter that gave the firſt occaſion, as he might have done, but ſuſtered the great diſcontents about Religion to continue, either acted by an erronious Conſcience, or being confident of his own ſtrength, and glad to meet any occaſion of Quarrelling with *Clodonæus* in the half way. Sect. 2.

2. The difference was inlarged by another accident: *Syagrius* the Count, the Son of *Ægidius*, whom *Clodonæus* had defeated in Battel fled to *Alarick*, and was kindly entertained by him. *Clodonæus* thereat ſtormed exceedingly, and procured him to be delivered up into his hands, which ſeemed to reſtore them to a good underſtanding, and perfectly to make up the breach. But the Religious Zeal of *Clodonæus*, or rather his Envy and Ambition, quickly diſcovered that the Caſe of *Syagrius* ſerved him but onely for a pretence and Colour to his deſign. Not able to endure, that theſe *Arians* ſhould hold any part of *Gall*, he perſwaded his men to undertake the War, to reduce their Territories under their own Power. To make his enterpriſe plauſible at his ſetting forth, he Commanded by an Edict, that no violence ſhould be offered to Sacred, whether Perſons or Places, which he ſignified to the Biſhops then aſſembled in a Synod at *Orleance*; as appears by the Epiſtle it ſelf, prefixed before the Council. In his paſſage he ſpared the Territories of *Tours* for the ſake of St. *Martin*, whom conſulting as the manner then was concerning his expedition, being ſatisfied that the iſſue would be good, he proceeded on his way as far as the River *Vigenna*. Here the River overflowing by reaſon of abundance of Rain, he knew not what Courſe to take, where by an Hart which took the Water, and after her arrival at the other Bank, is ſaid to have diſappeared, he was directed to a Ford, and ſo got ſafe over with his Army. Thence marched he ſtreight to *Poictiers* where *Alarick* now reſided, who appointed to give him Battel in the Plains called *Campi Vogladenſes*, lying from *Poictiers* about ten miles. There wanted no Animoſity nor Valour on either ſide. *Alarick* performed all the parts both of a prudent General, and a Courageous Souldier, but had the fortune to be diſmounted by *Clodonæus*, who then alighted and ſlew him, as he endeavoured to riſe from the Ground. The *Goths* utterly diſcouraged by the Death of their King, were moſt of them cut in pieces: *Engoleſme* which was held by a Garriſon of *Goths*, quickly yielded to the Conquerour. Such of them as had not been at the Battel, met together at the Borders of *Bourdeaux*, to prevent the Ruine of their Dominions, but giving there Battel to the *Franks*, received ſo great a defeat, that from them and their Religion, the place received the Name of the *Arian* Field.

Ait ſuis valde moleſtè ferò, quod hi Ariani partem teneant Galliarum, eamus cum Dei adjutorio & ſuperatis redigamus terram in ditionem noſtram, *Greg. Turonenſ.* *c.* 2. *c.* 30. *Aimoinus*, *l.* 1. *c.* 20.

Is kill'd by *Clodonæus* the *French* King.

3. *Clodonæus* purſuing his good Fortune took in *Bourdeaux*, after which the *Veſates*, *Cadurci*, *Rutheni* and *Arverni*, yielded themſelves to his Son *Theodorick*. In the beginning of Spring he beſieged *Tolouſe*, which he took, and therein the Treaſures of the *Gothick* Kings, which done, he removed to *Engoleſme*, and having reduced the other Towns, and put ſufficient Garriſons therein, returned to *Tours* to perform his Devotions at the Tomb of St. *Martin*. So do the Hiſtorians of the *Franks*, and generally all Latine Writers relate the Story. *Procopius* makes the Caſe to be a little different, writing, that the *Franks* whom he calls *Germans*, invading the Territories of the *Goths*, took up their Station about *Carcaſſon*. *Alarick* expecting ſuccours from *Theodorick* his Father-in-Law kept himſelf at a diſtance, till his Men ready to Mutiny upbraided him with Lazineſs: Whereupon he gave Battel to the *Franks*, and therein periſhed with moſt of his followers. The *Franks* elevated with their good Succeſs beſieged the ſtrong City of *Carcaſſon*, where they heard the Spoils of the Temple of *Jeruſalem* lay, which *Alarick* the elder had tranſported from *Rome* into *Gall*. But *Theodorick* drawing toward the Siege with great Forces, they broke up their Camp, and departing ſeized on that part of *Gall*, which reacheth from the River *Rhoſne* to the Ocean. Then *Theodorick* deſpairing to regain that which they had got into their hands, ſatisfied himſelf with keeping that part of *Gallia Narbonenſis*, which ſtill remained to the *Goths*. But ſuch was the end of *Alarick*, who did not end his Life by the Halter before the Gates of *Tolouſe*, as one ridiculouſly has left written; for all ancient Authours agree, that he died in Battel, and *Gregory Turonenſis* with others, by the hand of *Clodonæus* particularly. He Reigned three and twenty years, and in his laſt but one, perceiving that the new *Gothick* Laws

Gregor. Turon. l. 2. *c.* 37. *Aimoinus*, *l.* 1. *c.* 22. *Ado Viennenſis Flodoardus*, *Sigebertus*, *Abbas Virſpergenſis*, *Otho Friſingenſis*, *alii.*

Petrus Vallliſſernenſis Hiſt. Albig. cap. 1.

Sect. 2. Laws suited not the Humour of the Provincials, who had been accustomed to the *Roman*, caused the Code of *Theodosius* to be abreviated by some prudent and learned Men, and then to be published by *Aimoinus* his Chancellour in a full Assembly of the Bishops and Nobility at *Aduris* a City of *Novempopulania*.

4. *Alarick* left a Son of five years old, begotten on his Wife that died a little before him, called *Amalarick*, and another named *Gesaleich* which he had by a Concubine. The Nobility despising *Amalarick*, by reason of his Age, made *Gesaleich* King. This could not but be highly displeasing to *Theodorick* the *Ostrogoth*, who to vindicate the cause of his Nephew, sent eighty thousand stout Men into *Gall* under the Conduct of *Ilba*, the Count of the *Gepidæ*, who had orders also to repress the Insolence of the *Franks*. *Gesaleich* hearing of so great an Army, and having lately lost *Narbon*, which *Gundibald* the King of the *Burgundians* intent upon Booty at this time of Extremity had taken from him, fled Cowardly into *Spain* to *Barcelona*, where he could dare to be Cruel to those that were under his Power, though he durst not look an Enemy in the Face; for with his own hands he murthered *Goerick* in the Court. *Ilba* marched streight for *Gall*, where he gave Battel to the *Franks*, and by assistence of the *Visigoths*, killed twenty thousand of them, whereby *Provence* fell as a reward to the *Ostrogoths*, and to the *Visigoths* *Aquitain* was recovered. He took in *Narbon*, and was now ready to march into *Spain*, when *Gesaleich* hearing the News, and despairing of the Fidelity of his Souldiers, whom he had disobliged by his Cruelty, passed over the *Straits* into *Africk* to *Thrasimund*, the *Vandal* King, who kindly entertained him, though he had married the Sister of *Theodorick*, either pitying the Man's distressed condition, or thinking it seasonable to give a Check to the Power of the *Ostrogoth*, which was now grown so high as to threaten all the Neighbour Nations: He assisted him with Money, wherewith repassing into *Gall* after a Years hiding himself, he hired Souldiers and re-entred *Spain*, where he was overthrown in Battel by *Ilba* twelve miles from *Barcelona*. Escaping himself he fled back into *Gall*, and there died of Grief at some place situate upon the River *Druentius*, in the fourth Year after he had been declared King.

Gesaleich succeeds.

Hunc alii Gelasicum, alii Geleycum, alii Galeicum, Procopius Gesalicum appellat. Anastasius, In calce politiæ. Gest. lici, Sacrilin.

But flying his Kingdom,

Dies with Grief.

5. So he died, but who succeeded him is not fully certain: Writers differing in their Opinions. Most hold that *Theodorick* the *Ostrogoth* was now King of the *Visigoths* in *Spain*, into which Countrey some say, that he passed. Indeed the Synods which at this time were held in *Spain*, have his Name before them, and tell us of the very Years of his Reign. But others think, rather that *Amalarick* was King, and that his Grandfather governed onely as his Guardian, who having all the Power in his hands, thence he was also presumed to have the Title. To speak indifferently, this is more probable of the two; and as for the expedition of *Theodorick* into *Spain*, we can look at it no otherwise than as a mere Fable, for who can be so prejudiced, as to imagine that so remarkable a thing should be passed over in silence by *Cassiodorus* and other eminent Writers, who have transmitted the particular Acts of this King to Posterity? This is an Invention of *Spanish* Authours, some of whom tell you other fine tales hereon depending; as that *Theodorick* at *Toledo* married a Wife of the ancient *Spanish* Race, by the intreaties whereof being overcome, he restored to the ancient *Spaniards* their Liberty; and that of this Marriage was born *Severianus*, the Father of *Leander* and *Isidore*, a Story as unconsistent with the Course of time as repugnant to truth it self. It's more certain, that *Theudas* or *Theudius* Armour-bearer formerly to *Theodorick*, was by him made Governour of *Spain*, and Protector of *Amalarick* in his Nonage; who when he came to the Government himself, it seems made use of such a Deputy, one *Stephen* being said to be Prefect or Governour of *Spain*, and in the third year of his Command, to have been discarded in a Council.

Amalarick King.

Lucas Tudensis.

Annotationes libri Alexandrini ad. apud Vossium ad A. D. 531.

Who Marries a Daughter of *Clodoneus* the *French* King.

Amalarick married *Clotilde* or *Crotilde*, the Daughter of *Clodoneus* King of the *Franks*, and by this Alliance a firm Peace seemed to be made, which he himself through his Fury and Indiscretion caused to be broken.

6. His Wife being a Catholick, and he himself of the *Arian* perswasion, he could not at all bear with her Faith, but treated her with all Indignities imaginable. As she went to Church, he caused filth to be cast upon her, and at length so Cruelly beat her, that the Bloud gushed out in abundance, wherewith she stained an Handkerchief and sent it to her Brother *Childebert*, desiring she might by some means be delivered from the misery she underwent. *Childebert* being naturally full of Activity and Courage, made no small haste to her deliverance; which her Husband understanding prepared no Arms and Souldiers for resistence, but Ships for his Transportation,

Gregor. Turonen. lib. 3. c. 7.

But using her ill.

sportation, and was ready to go aboard, when he remembred he had left many pretious Stones in his Closet of such value with him, that he could as easily part with his Life as loose them. Returning into the Town to fetch them, before he could get back, the Army of the *Franks* was at the Gates, by which forced to return, he would have taken Sanctuary in a Church of the Orthodox Christians, but in his way one of *Childebert* his Souldiers, killed him with a Lance: He Reigned five years by himself, twenty in all if his Reign be computed from the Death of *Gesaleich*. His Wife *Clotilde* died before she reached *Paris*, and there she was buried near to the Monument of her Father.

Sect. 2.

He is killed by the *Franks*.

7. *Amalarick* dying without issue, the Royal Race of the *Visigoths* failed. Being then elsewhere to provide themselves, the choice fell upon *Theudis*, he that had been Guardian to *Amalarick*, though an *Ostrogoth* by descent, for his great Skill and Dexterity in Government. From *Procopius* it should seem that he Usurped, while *Theodorick* King of *Italy* was yet alive, and that this King to provide for the Affairs of *Amalarick* his Nephew, indeavoured by all means to get out of *Spain*; but to no purpose. For during his Government he had provided himself sufficiently, both of Wealth and Interest; and that especially, by a Marriage with one of the Noblest and Richest Ladies of the *Spanish* Nation. But the Kings of the *Franks* thought themselves not yet satisfied, for the Injury offered to their Sister. The year following, *Childebert* and *Clotair* invade *Spain*, and wasting all the *Tarraconian Province*, lay Siege to the City of *Cæsar Augusta*, which the Devotion of the Inhabitants merely preserved from Ruine, for therewith *Childebert* was affected, that he is said thereupon to have raised his Siege. But in their retreat they were badly rewarded for their kindness, being in the Straits of the Mountains set upon by *Theudisius*, who Commanded a party of *Goths* for *Theudis* their King, a Prince so slenderly provided, that he durst not ingage on even Terms. They lost many of their Men, and were forc'd with Gold to purchase the safety of the rest. This War was followed by a great Plague, which for two years so raged, that in *Spain* an innumerable multitude of poor Mortals perished.

Theudis chosen King.

Procopius, alibi Theodim, alibi Theudam appellat. Lat. Latini Scriptores alii Theudium. Teudhalis Populis imperans Theudisch, Paulus Diaconus.

Is invaded by the *Franks*.

8. *Theudis*, either to redeem his Credit, which seemed much impaired with the late Invasion, or to assist the *Vandals* in *Africk*, who seemed now to go down the wind, passed over the Straits, and there laid Siege to *Septa*, a City facing *Spain* as standing over against it upon the Water. His Siege he long continued, and was in good hope of carrying the Place, till refusing to use any Acts of Hostility on a Lords Day, the besieged took their opportunity, and making a Sally with such execution, that they killed all that then were in the Camp; *Theudis* himself with a small part of the Army, by benefit of his Ships escaped: This happened at such time, as *Belisarius* warred in *Africk* against *Gelimer*, who though as yet not reduced to great straits, sent shortly after to *Theudis* to desire Assistence. By reason of contrary Winds, or some other Accident; the Ambassadours sailed very slowly, and made little Progress in their Voyage, so that e'er they could have Audience some other Ships were arrived, and brought News of the taking of *Carthage*, and the Destruction of the *Vandal* Kingdom there. When they came to make the demands, *Theudis* asked in what Condition their Masters Affairs now stood, to whom they replyed, that they were in a very good posture. Whereupon he told them, that they should return into *Africk*, and there they should have a pertinent Answer. Being entertained by the King at a Feast, where all both eat and drank plentifully, they imputed the strangeness of his Answer to the excess of Wine, and the next Morning demanded another Audience, which granted, they heard but the same Words repeated, and thereupon suspecting the matter, found their Suspicion not to have been ill founded at their return. Not long after, *Theudis* after he had Reigned seventeen Years and about four Months, was slain by one that Counterfeited madness for that purpose. Before he expired, he Commanded the Murtherer should not be punished, calling to mind that he himself had killed his Captain, to whom he had when a young Man sworn Fidelity.

Theudis murthered.

Theudisclus.

9. He being dead, *Theudisclus* his General was chosen King of the *Visigoths*, a Man that had got much Honour in the War against the *Franks*, and of good Esteem otherwise, as being the Nephew of *Totilas*, King of the *Ostrogoths* in *Italy* by his Sister. His good beginnings were within a little time quite blemished by his Prodigious Lust which hurried him into Cruel and Treacherous Acts, procuring for feigned Crimes and otherwise, several of the Nobility to be made away, that with Freedom he might enjoy their Wives. This caused those that apprehended themselves in danger, and had otherwise reason to be concerned, to enter into a Con-

Theudisclus sive Theudisselus Jornandi, Thiudigis, glossa. Isidorus.

Who is murthered.

Sect. 2. In his place *Agila* elected.

piracy for taking away his Life, which was done at *Hispalis* or *Sevil*, in the midst of his Cups and Jollity, after he had Reigned a year or seven months, though others extend it beyond a year and an half continuance. Into his place was elected *Agila*, who all his whole Reign contended with adverse Fortune. At his first beginning the Inhabitants of *Corduba* denied obedience, which obliged him to lay Siege to their City, but they issued out upon him, and quite defeated him, killing his Son upon the place. As the merits of Men are measured merely by Success, he began presently to be despised, which incouraged one *Athanagild* to rebell, who to strengthen himself sent to *Justinian* the Emperour, desiring aid for to accomplish his revolt, and promising to reduce a good part of *Spain* to the obedience of the *Roman* Empire. *Liberius* a Patritian was accordingly ordered to march out of *Spain*, who about *Sevil* gave Battel to *Agila*, where the King being overthrown fled to *Emerita* and there was slain by the Nobility, after he had Reigned some say five Years and six Months, others five and three Months, and *Sigebert* with less Probability nine Years. *Athanagild* succeeded in the Kingdom, but had work enough to find him doing all his Life, made by the Army of *Justinian*, which he had called in to his assistence. For now having obtained what he designed, he resolved to forget his Promise, and indeed he must either break it, or loose that which was the end he proposed; the *Gothick* Nobility being highly concerned, that the *Romans* had once again got footing in *Spain*, of which a very considerable part by Virtue of the League with him, and by force of Arms they had recovered, their Dominions being terminated by both the Seas. He had by his Wife *Galsuinda* two Daughters, *Galsuinda* married to *Chilperick* King of *Soissons*, and *Brunichild* the famed Wife of *Sigebert* his Brother, King of the *Mediomatrices* or *Austrasia*, of which we hear enough in another place. He died at length at *Toledo*, after he had Reigned some say fourteen, others fifteen Years with six Months. In the Kingdom of *Portugal*, sixteen miles from the City *Guimarane*, (by the Ancients called *Idania*) is a Village yet extant, that bears his Name, possibly built in his time, where are to be seen Ruines of buildings, which perfectly shew they were of *Gothick* work.

Agild, hinc, Immunis, non solvens. Gild fugelt, numisma.

Aten-gild, communitus tributo.

But is slain by *Athanagild*, who succeeds him.

And dyes.

10. After the death of *Athanagild*, followed an Interregnum for six Months, though in *Lucas Tudensis*, we find seven Years and as many Months, which place is doubtless corrupted. The state of the Kingdom could very ill bear the want of a Governour for so many days, but so long the Factions of the Nobility continued. At length they agreed to promote *Liuva* (so he is called in ancient Coins) who then at *Narbon* Commanded those parts of *Gall*, which still remained subject to the Western *Goths*. Having been accustomed to these parts for seven Years, he had no Inclination to move into *Spain*, and therefore in the second Year of his Reign he made *Leunigild* his Brother Partner with him in the Kingdom, committing to his Care and Government the other Provinces that were subject to the *Goths*. This *Leunigild* by *Theodosia* his former Wife, the Daughter of *Severianus* Governour of the *Carthaginian* Province, had two Sons, *Ermenigild* and *Reccared*, but the being dead about the time that his Brother was made King, he had married *Gosuinda* the Wife of *Athanagild* his Predecessour. Being a man of great Courage and Conduct, and seeing what danger lay from the *Romans*, who had got so much of the Countrey into their Power, he could not forbear but presently led against them; and in the Region of the *Bastetani* gave them Battel, with such Success that he beat them out of this whole Countrey: The Territories of *Malaca* he wasted with Fire and Sword, had *Assidonia* a Town standing upon the Straits, betrayed to him by *Framidanius* the Governour, reduced *Corduba* to obedience, which ever after the defeat given to *Agila*, had refused to submit, with several other Towns, and all the Tract of * *Sabaria*. While he thus employed himself in *Spain*, his Brother *Linva* or *Linba* as others call him, died in *Gall* after he had Reigned five Years, or as others but three, of this Opinion being *Isidore*.

Liuva King.

Leunigild his Partner.

Who drives the *Romans* out of *Spain*.

Liuva dyes.

Liuva, Lic.

Lewigild, Lexi Par.

**Ubi sit ista Sabaria plane nescimus. fatetur Mariana; an Sabandiam & Sabandos, legendum sit? Ita intelligent locum videtur Xanthus Valra, Johannes Abbas.*

11. *Leunigild* having setled the Affairs of *Bætica*, and driven the *Romans* out of all the Province, turned the War upon *Cantabria*, where he took the City *Amaia*, (by others called *Aregia* and *Varegia*) having wasted all the Countrey to the Gates, and killed many that denied Submission. From *Cantabria* he moved into *Aquitain*, where he forced *Aspidius* to submit, and put himself his Wife and Children into his hands, who had held the City *Agen* against him. We are told by a certain Authour, that this *Aspidius* was a *Senior* in this Countrey, using this word as a Note of Dominion and Principality. A Senate was so called from *Senes*, or *Seniores*; for that such Consult and govern is most proper and wholesome for a State. Therefore in

Leunigild makes War upon *Cantabria*.

Then *Aquitain*.

Biclarensis apud Marianam de rebus Hisp. lib. 5. c. 11.

Sect. 2.

in succeeding times, as well in the Monuments of *Spain*, as in the Acts of such Councils as were held about the time of *Charles* the Great in *Gall*, Lords and Princes are termed *Seniores*, which custome being derived into the Bastard Latine Tongues of *Spain*, *Gall* and *Italy*, thence the Titles of *Sennor*, *Signior* and *Signeur* in those Modern Languages received their Original. The same year that *Linva* died, *Miro* or *Ariamyrus* succeeded his Father *Theodomir* in his Reign over the *Suevi*, who died two years before. We have heard nothing of a long time of these Kings since *Remismund*, of whose Successours either as to their Names or Actions we know little or nothing, those Monuments which should have transmitted them to us having perished.

12. But *Isidore* puts us off with this scantling account, after he had told us some small matters concerning *Remismund*, and how the Heresie of the *Arians* was propagated amongst the *Suevi* by one *Ajax*, that many Kings of the *Suevi* afterwards remaining in the profession of that Heresie, at length *Theodomir* came to be King, who by the assistence of *Martin* a famous Bishop, restored the Catholick Religion. After *Theodomir* reigned *Miro*, who reigned thirteen years, and in his second made War, as the Copy now hath it, upon the *Roman Roccones*. Another Authour tells us it was against the *Aragones*, and a third calls them *Vascones*, with more reason the same with those that now inhabit part of *Navarre*. *Leunigild* being returned out of *Aquitain* into *Spain*, began every day more and more to grudge and disdain, that the *Suevi* or any others besides himself should have any thing of that Countrey. He could not forbear attempting something upon their Borders, which *Miro* sensible of, and knowing his own strength, took the best course to send a submissive Message, but he could not prevail for any thing more than a Truce. Then turned he his Arms upon the *Roman* Forces, which *Justin* the Emperour had sent to protect the Limits of *Spain*. Their cheif residence was upon the Mountains called *Orospedæ*, which rising at the roots of the Hill *Counbs*, run through *Molina Coucha* to *Segura*, and the Borders of *Granado* as far as the Straits of *Gibraltar*. Trusting to the Steepness and Cragginess of the place, they refused to submit, but he reduced all the Forts and Castles, and the whole Province under his Dominion, whereby it came to pass that the *Romans* were in a manner driven out of *Spain*, little now being left them but a small tract of Ground upon the Mediterranean Sea.

In Chronic. ad Aeram 402.

Joannes Abbas. Lucas Tudensis.

13. His matters being in so hopefull a posture, in reference to Foreign Potentates, he was the more concerned to think how they stood at Home in relation to his own Family, for whether it or some that never had taken any care and pains, should reap the fruit of his Labours was utterly uncertain, Kings being wont to be chosen by the suffrages of the Nobility, and no way of Succession at all Establi-

Leunigild makes *Ermenigild* and *Reccarde* Partners with him in the Kingdom.

shed. To prevent this, he declares his two Sons *Ermenigild* and *Reccarde* his Partners in the Kingdom, the former being to reign at *Sevil*, as some, or as others say at *Emerita*, and the latter at the confluence of the two Rivers *Tagus* and *Guadiela* near *Paterniana* or *Pastrana*, *Leunigild* building a City which after him he called *Reccopolis* (vulgarly *Ripol*,) as some imagine, in *Celtiberia*. He himself placed the Seat of his Kingdom at *Toledo*, whereupon it began to be called the Royal City, and to be the Seat of the Kingdom, as formerly had been *Hispalis* or *Sevil*. *Ermenigild* Married *Ingundis* the Daughter of *Sigebert* King of the *Mediomatrices* by *Brunichild*, a device as 'twas thought very proper for strengthning his Interests, for the being the Grand-daughter of *Athanagild* and *Gosuinda* hereby the Bloud and power of both these Royal Families were conjoyned. The Maid being brought to her Grandmother, she soothed her up with extraordinary flatteries, to win her to imbrace *Arianism*; but when this would not doe, treated her with as great indignities, not onely with words, but blows, and once tumbled her down into a Fish-pond, to the great danger of her life; which notwithstanding she not onely kept her Religion, but is thought to have brought *Ermenigild*, now her Husband, to the imbracement of the truth, to which the long distance of King *Leunigild* gave a good opportunity, who had now taken a Journey to the *Carpentani* in the hithermost *Spain*; at what time *Ringundis* the daughter of *Chilperick* and *Fredegund* was coming to be married, according to Covenant, to *Reccarde* the other Son. But having reach't *Tolouse*, the heard of her Father's death, procured, as was thought, by *Laudrey*, and so returned again to her own Countrey; which known, *Reccarde* married one *Rada*, the Genealogy of which Woman cannot be drawn by any mortal hand.

Ermenigild converted to the Faith.

Erman-gild militibus tribunus. Reke-reden, ultor cum ratione, To wicked read his ear, i. e. To Evil Council. Reede etiam Saxonice Deliria. Ita Recaredum interpretatur Gratius, ego autem patius hoc modo. Rikch-reden vel Rikch-reden, potens Consilio. Vocatur enim Ricared adeo bene ac Reccarede.

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14. But the Grandmother so plied *Leunigild* with Solicitations and Arguments drawn from Piety and Religion, that he must needs chastise his Son with War, if otherwise he could not reduce him. "He sends a Menacing Letter, accusing him "of ingratitude and disobedience, arguing him of folly for renouncing such a Faith "as the *Goths* had hitherto professed with great prosperity and success; and tells "him, that if now he did not comply, he must expect no paternal compassion for "the time to come. The Son returns a modest, but resolute Answer, "That "there was one higher than him, whom he must needs obey, if their Commands "were contrary, and praying him to doe nothing whereof he might have occa-"sion to repent him all his life, and which would bring a perpetual Infamy upon "their family. But the Father not remaining satisfied with his Son's answer, they both provide for War. The Son gets the *Romans* on his side, but they presently again for money renounce the Alliance made with him, and promise their assistence to the Father. They spent three years in seeking Friends and making Alliances, till at length *Leunigild* in an Hostile manner invades *Bætica*, and lays Siege to *Hispalis*, for starving of which he consulted how he might divert the Course of the River *Bætis* upon which it stands, and fortified a place four miles off, where the Walls of the Ancient City *Italica* formerly stood, where now is to be seen a Monastery of St. *Isidore*, the *Moors*, it's probable, after the times of the *Goths* having destroyed the City. *Miro*, King of the *Suevi*, though of the contrary persuasion as to Religion, joyned with *Leunigild*, and was (as a punishment for so great a crime as some believed) taken away by Death in the time of the Siege. *Eburick*, or *Eborick* his Son, succeeded him in the Kingdom of *Gallicia*, whom not long after *Audeca*, a wealthy man, deprived of his Kingdom, and thrust into a Monastery, having married *Sisegatia*, the Relique of *Miro*. But see the justice that attended the Usurper. *Leunigild* within a year or two disdaining that the Son of his Friend and Ally should be so spoiled of his Inheritance, invaded *Gallicia*, took *Audeca* alive, and causing him to be shaven, put him also into a Monastery, and made him receive Orders. He seized on all the treasure, and reduced *Gallicia* into the form of a Province; the Kingdom of the *Suevi* being thus overturned after it had continued one hundred and seventy four (some say seventy seven) years.

Is persecuted by his Father with War.

Johannes Abbas.

Turonensis autem scribit dum in Patria desseritur, fedare gallis cum Leunigildo.

The Kingdom of the *Suevi* overturned.

15. But to return to *Hispalis*, the drawing of the River away from it brought it into extreme necessity, which *Hermengild* not able any longer to struggle with, secretly stole away to the *Romans*, not knowing they had dealt so perfidiously with him already as to join with his Father. *Leunigild* quickly got the Town into his possession, and not long after his Son into his hands. Some think he was betrayed by the Inhabitants of *Corduba*, whither he had retired upon notice how matters stood betwixt his Father and the *Romans*. Others say it was at a place called *Ossetum*, which being strong, he seized with three hundred stout men, hoping to make some opposition, but the Town was taken, and he fled into a Church for Sanctuary, whence being by the kind words of his Father drawn out, he was afterward put to death, one *Subert* being Executioner, when he refused to receive the Communion at the hands of an *Arian* Bishop. But Authours differ about the place of his death, some affirming he was made away by *Subert* at *Tarracon*, and that before that he had been banished to *Valentia*. Others, that he was Martyred at *Sevil*, where they shewed a Tower near to the Gate of *Cordova*, wherein they say he was kept Prisoner, horrible for straitness and darkness, and they honour him as a great Saint, celebrating his Festival on the thirteenth of *April*, by virtue of a Bull of *Sixtus Quintus*. *Ingundis* his Wife full of tears and sorrow, with her young Son, fled into *Africk*, the *Roman* Captains, to whose Custody she was committed, purposing to convey her to *Mauricius* the Emperour as some notable booty taken in War.

Erminigild slain.

Joannes Abbas, Gregor. Turonens. lib. 8. c. 28. Bacharensis Gretianus Dialog. lib. 3. c. 31.

16. *Childebert* her Brother, and *Guntran* her Uncle, Kings of the *Franks*, were ready to plead her Cause by dint of Sword, when *Reccarede* the younger Son of *Leunigild* diverted them from *Spain* by making an Inroad into their Territories in *Gall*, where he took a strong Castle called *Ugernum* in those belonging to *Arles*, and wasted the Countrey in a dreadfull manner. This brought both Parties to listen after an Accommodation, when other things happened which incensed the *Franks* to an higher degree of Indignation. Some of their Ships as they were Trading to *Gallicia*, were intercepted by those of the *Goths*; and as well the Men as the Vessels and Goods belonging to them were made prize. This made the two Kings give deaf Ears to what was pleaded by *Leunigild* his Ambassadours; and *Mariana* tells us he has an Authour which affirms that *Reccarede*, now again from *Narbon*, made an Incursion into the *French* Dominions, wasting many fruitfull and pleasant places of *Gall*.

Gall. It's certain that *Childebert* was so moved as to enter into a League and Alliance with *Mauricius* the Emperour, whose friendship he had formerly despised for driving the *Lombards* and *Goths* out of *Italy* and *Spain*. And being, it seems, obliged first to begin with *Italy*, he sent thither a considerable Army, which was defeated with so much loss, that *Childebert* was much cooled in his design of making the same Attempts upon the *Goths*, especially when he heard that she, for whose sake he had imbraced the quarrel, was dead, either in *Africk* or *Sicily*, and perceived that the Emperour would lend his Name and Reputation, but not his helping hand to any enterprize considerable. Her Son, we are told, was carried to *Constantinople*, where what became of him, is utterly unknown, but probably he had the happiness not to stay long behind his Mother. Much about the same time died also *Leunigild* in the eighteenth year after he had began to reign with his Brother. He had the happiness before his death to reduce and take Prisoner *Malarick* or *Amalarick*, who had the confidence to Usurp in *Gallicia*, and set up again the Kingdom of the *Suevi*. He was cruel in his disposition, having, besides his Son, put several other Noble men to death. He first of all those *Gothick* Kings filled his Treasury with the Goods of the Church, and the Estates of private men as well as Enemies. He first used a Throne and Royal Robes, whereas those before him sate and were habited like the Nobility. The Laws made by *Eurick*, he mended, taking away and adding as to him seemed most convenient.

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Leunigild dies.

Isidorus Lucæ Tudensis.

17. *Reccardus*, or *Ricared*, succeeding his Father, set himself to reform Religion, abolishing *Arianism*, and establishing the Catholick Faith, and that with as little noise and trouble as could be expected in a matter of such concernment. For establishing a firm and lasting Peace to his Dominions, he desired to be friends with the Kings of the *Franks*, and as a more powerfull way to effect it, his Wife *Bada* being dead, he desired in Marriage *Clodosinda*, the other Sister of *Childebert*, King of *Austrasia*, utterly denying that he was of Council with his Father, or had any hand in the misfortunes of his Brother, his Wife and Son. The thing could not presently be accomplished; for *Guntran* the Uncle had not yet digested the affront offered to his Family, but would by Arms be revenged, sending *Desiderius* with considerable Forces to waste the Territories of the *Gothick Gall*, where the *Goths* at first had the worst, and shut up themselves within the City *Carcasson*, but afterward took their opportunity, and made such a sally upon the triumphing and secure besiegers, that they slew their Captain, and killing most of them, the rest secured themselves by shamefull slight. This Defeat did but more exasperate the spirit of *Guntran*, who to recover his credit, the year following sent no fewer than sixty thousand men under Command of *Boso* into the *Gothick* Borders. News being brought into *Spain* that such a storm was approaching, *Claudius* the Governour of *Lusitania* descended of *Roman* Bloud, was sent away to protect the Borders, who finding the *Franks* near *Carcasson*, the happy place of their late defeat, resolved there again to fall upon them, and with the like success. For he defeated them in Battel, killed many in the fight, and not a few in the pursuit, took their Camp with all their Baggage, and obtained such a victory, that if *Isidore* be not partial, a more eminent one never had happened in *Spain*, the glory whereof was increased by the smallness of the number of those that fell on the *Gothick* side. For you must know this defeat of threescore thousand *Franks* was effected by the Valour of three hundred *Goths*, so powerfull was the Tongue, sharp the Sword, and prevalent the Example of *Claudius* their Captain.

The *French* worsted in two Expeditions against the *Goths*.

18. *Ricared* having the good fortune to be Victour both in the field against his publick Enemies, and at home against such Conspiratours, as out of hatred to his Religion had contrived his destruction, obtained so much repute in the World, that at length his suit was admitted, and *Antharis* the *Lombard* being put off, to whom she had been as good as promised, *Clodosinda* was sent to him, and a strict Alliance and League was made betwixt the Nations. What time the Marriage was Consummated, Authours do not agree amongst themselves; but evident enough it is, that toward the latter end of his Reign the League was made betwixt the *Franks* and him. This farther added to his Glory, That the *Romans* which still remained in *Spain*, were by his endeavours reduced to an inconsiderable Number and Power. By the same good fortune he reduced the *Vascons* to obedience, when they had entertained Councils of dangerous consequence. He was a Man of great goodness as well as felicity, being singularly good natur'd, and very pious, to which being added excellent wit, and great endowments both of body and mind; he left a great miss of him behind him, dying at *Toledo* after he had reigned fifteen years, one month

A League and Alliance struck up twixt these two Nations.

Ricared dies.

Sect. 2.

month and ten days. He had two Wifes, as we have feen, *viz. Bada*; Daughter, as they fay, to *Arthur* our famed King of *Britain*, and the *French* Lady lately mentioned; and he left three Sons, but by what Mother or Mothers, cannot be determin'd. The eldeſt was *Linva* (*Luiba* or *Loiba*) whom ſome will have the Son of *Bada*; but *Iſidore* writes that he was begotten of an Ignoble Mother, ſo that ſome conjecture he was baſe born. And as for the other two, *viz. Suinthila* and *Geila*, their Original as to the Mother's ſide is rather more obſcure.

Ignobili quidem matre progenitus, ſed virtutum indole inſignitus. In Chronic. ad Æram 679.

Swinthila, Sententia exutus. Geila-vilar, Peccatum expiavit patitis cupio.

Linva the Second ſucceeds.

19. *Linva* his eldeſt Son ſucceeded him, and being very young (not twenty years old, ſome ſay hardly fifteen) was ſo obnoxious to the plots and devices of bad men, his Father's great Merits could not protect him, although he gave to all men very good hopes that he would not tread but in his ſteps. He was circumvented and ſlain by the treachery of one *Witterick*, accuſtomed to ſuch Villanies, when he had ſcarcely reigned two years. Being a goodly perſon, and taken away in the flour of his youth, he was exceedingly lamented by his Subjects. In *Spain* there were not long ſince extant ſome Golden Coins ſtamped with his Image, and words which argued his eminent piety; in which Coins, leſt he be thought the ſame with *Linva* the Firſt, his great Uncle, he has on his Head a Royal Crown, a thing not uſed by any of thoſe *Gothick* Kings till the time of *Leunegild*, as we before hinted. *Witterick* having ſeized on the Kingdom, held it for the ſpace of ſix years and ten months, or thereabout, being a Souldier good enough, which he teſtified by the Wars he managed with the *Romans*, though the ſucceſs he had againſt them was not anſwerable to that great Ambition he had to drive them quite out of *Spain*. He was moreover ingaged againſt *Theodorick* King of *Burgundy*, to whom having married *Hermenberga* his Daughter, ſhe was diſgracefully ſent back to him, for what reaſon, and upon what account, we conſider in the Hiſtory of that Kingdom. Whatever the Cauſe of the Separation was, it could not, in his opinion, take off the injuſtice of the Fact, and the affront was ſo intolerable, as nothing could expiate it but the Ruine of him that had given the offence. And he ſo plied his buſineſs, that he made a very promiſing League and Alliance betwixt himſelf *Agilulf* King of the *Lombards*, *Clotair* the inveterate Enemy of *Theodorick* and *Theodebert* the King of *Auſtraſia* his Brother, for the Conquering of the Kingdom of *Burgundy*. But *Theodorick* had at this time the good fortune to draw off his Brother, and thereby it came to paſs that this terrible Conjunction and Confederacy dwindled by degrees to nothing. This brought the Uſurper into ſuch diſgrace with his People, that calling to mind his ill title, and the means he had uſed to advance himſelf, the Multitude ruſhed into his Court, and ſlew him as he ſate at meat, having performed nothing ſutable to his pretences, nothing memorable, but that his Captains took *Seguntia* from the *Romans*.

Alia Vinterius, Beticricus, Victorica & Tiuttericus.

But is ſlain by the treachery of *Witterick*.

Wicht Riſch, Puidere dives.

Who ſeizes on the Kingdom.

Upon whoſe death *Gundemar* is elected King.

20. He being ſlain, one *Gundemar* obtained to be King, whether as a reward of what he had performed againſt *Witterick*, or by the ſuffrages of the Nobility, is uncertain; ſome do very probably conjecture, that it was not without the aſſiſtence of the *Franks*; for they owed malice to *Witterick*, and it appears that *Gundemar* paid them an Annual Tribute from ſome ancient Records which were extant but in the days of *Mariana*. We find farther, that the Ambaſſadours of *Gundemar*, though facred by the Law of Nations, yet were violated or abuſed by them; and although juſt occaſion of War was thence afforded, yet he ſent others who neither could get any Audience of the Kings. Herewith *Bulgaranus* the Count, who governed the *Gothick Gall* as Lieutenant to *Gundemar*, found himſelf ſo concerned as to ſtop the Ambaſſadours of *Theodorick*, and deny them acceſs into *Spain*, and was ſeeming to be now coming on, to be before-hand with the *Franks*, he took by ſtorm two Towns in *Gallia Narbonenſis*, which by virtue of an Agreement made by *Ricared*, were aſſigned to the uſe and ſervice of *Brunichild* the Queen, who dying not long after, they never were re-demanded of the *Goths*. *Gundemar* in the mean time reduced the *Vaſcons* which had rebelled in *Spain*, and had good ſucceſs againſt the Captains and Forces which were ſet to protect the limits of the *Roman* Empire in that Countrey. This having done, he fell ſick and died at *Toledo*, having reigned no more than one year, ten months and thirteen days, leaving no iſſue behind him by his Wife *Hilduara*, at leaſt that is known to us. He was an Excellent Prince and much bewailed, Fortune having but ſhewn him and his Vertues to the World, and then as envying his People ſo great an happineſs, having again ſuddenly withdrawn him from their ſight.

Argumento Vegilæ emuit quod Francis à Gundemare ſibi conciliaſſe ſatis conſtat ex Bulgarani Comitis Galliam Gothicam pro Rege ea ætate gubernantis literis, quæ ad hanc diem Compoſitæ & Ovetî inter veteres ſcholeas libriſque ſervantur, lib. 6. c. 2.

Who reduces the *Vaſcons* to Obedience,

And dyes.

21. The

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21. The grief that all good men conceived for the loſs of him was mitigated by the good hopes of the Vertues of his Succeſſour, one *Siſebatus* upon that account choſen by the Suffrages of the Nobility. And their expectations he both confirmed and increaſed by the Courſe of his Actions. The *Aſtures* and *Ruccones* who had rebelled, truſting to the places they inhabited, which were very difficult of Acceſs, he ſpeedily reduced to Obedience. The Remainders of the *Roman* Power being now driven up to the Straits of *Gibraltar*, and the Shore of the Ocean he proſecuted and leſſened, giving them two notable defeats, and taking not a few Towns from them in *Bætica* and *Luſitania*, part of which Province they ſtill held, but were now reduced to ſuch a low condition, that they were ready to pack up and depart. The Glory of his Arms he increaſed by the Fame of his Clemency and good Nature; for ſuch Priſoners as he took, he would often diſmiſs without Ranſome, and pay the price of the Redemption of Souldiers out of his own Treaſury. While he behaved himſelf in this manner, and diſcharged all Offices of a good and pious Prince, he was taken away by Death, after he had reigned eight years, ſix months and ſixteen days; but how he came to his end, is utterly uncertain, ſome reported that he died of an *Hypercatharſis*, or too violent a purgation by Phyſick he took, others ſaid that he was poiſoned by his Phyſicians, as happens uſually in the death of Princes, eſpecially if their departure be ſudden, or if they be loved and admired by the People.

Siſebatus choſen in his place.

Reduces the *Aſtures* and *Ruccones* to obedience.

Weakens the *Roman* Power in *Spain*.

And dyes.

22. There are two Laws of this *Siſebate* mentioned in the twelfth Council of *Toledo*. "One prohibiting his Succeſſours under an heavy Curſe to ſuffer a Chriſtian to be a Slave to a Jew, or to ſerve him. The other depriving him of all "Enſigns of Honour, who in time of War ſhould either refuſe to go out in Perſon, "or forſake his Colours, which as too ſevere, was mitigated by *Flavius Eringius*. To this ſame *Siſebate* is alſo aſcribed the beginning of Naval preparations, whereas the *Goths* had heretofore been ſtrangers to the Sea; but now the *Roman* Power in *Spain*, being even quite extinguiſhed, there was means and opportunity enough to apply themſelves to Sea matters. *Siſebatus* being dead, *Reccared* his Son ſucceeded, an Infant, who bearing the Title of King but for three months, after which time he died, or was depoſed, thereupon it came to paſs that by ſeveral Authours he is not put in the Catalogue of Kings. Both Father and Son being removed, one *Suinthila* who had Commanded the Army of *Siſebate*, and by Arms obtained great eſteem, was choſen King by the Nobility. Some write that he was the Son of *Recared* the Firſt, and married *Theodora* the Daughter of *Siſebate*. He was a man of great Courage, and indefatigable Induſtry; very prudent in Conſultation, and of a mind ſo propenſe to all Acts of Munificence, that he was ordinarily called *the Father of the Poor*. In his time the *Vaſcons* forgetting the ſmart of that chaſtiſement he had formerly when a Subject inflicted on them, again rebelled, and with Fire and Sword invaded the *Tarraconian* Province, but he marching againſt them, they were by his very preſence affrighted into good manners, and ſubmitting themſelves as a puniſhment or expiation of their offence, he cauſed them to build a * City called *Oligitus*, or *Oligitis*, as a Rod for their own back, to be a curb and a check to their Rebellious humour for the time to come.

Vide Joann. Vasæum in Chronic. ad Ann. 621.

Reccared his Son ſucceeds.

Hunc Iſidorus Pacenſis ait tres tantum menſes regnaſſe. Roderi-cus Toletanus ſeptem, quem ſequitur Alfonſus.

Who being made away, *Suinthila* is choſen King.

A. S. Iſidoro & Luca Tudenſi in Catalogo Regni non ponitur.

Who chaſtiſes the rebellious *Vaſcons*.

**Hanc civitatem alii in Navarra dicunt eſſe eam quæ vulgo dicitur Olit, alii in Caſtella veteri, quæ vernacula nomine Valladolit nuncupatur. Sub judice lis eſt.*

Is ſole Monarch of all *Spain*.

23. *Suinthila* had farther the good fortune to make himſelf Monarch of all *Spain*, a thing which had not happened to any of the *Gothick* Kings. For now was the time of Dominion of the *Romans* in this Countrey expired, one of the Patritians or Governours being drawn off to the King's party, and the other overcome by force, after they had for ſeventy years held part of *Luſitania* and *Bætica* with various fortune; and a wonder it is they ſhould ſo long hold out and keep their poſſeſſion of thoſe parts lying upon both the Seas ſo long as they did; but as ſome very well conjecture, that which maintained their Power, was the ſupply they conſtantly had out of *Africk*, for which they lay ſo convenient; which when it came to be ſubdued by the *Saracens*, the Intercourſe ceaſed, and conſequently for want of maintenance their ſtrength and intereſt quickly fell into irreparable decay. Theſe things were atchieved by *Suinthila* within five years compaſs of his Reign, whereby having ſo well provided for his Kingdom, he thought he might now make proviſion alſo for his family. The Kingdom, as we have ſeen, was Elective, or in the diſpoſal of the Nobility; but he to eſtabliſh it in his own Houſe, made *Rechimir* his Son his Fellow or Copartner in the Title and Government. This was plainly an alteration of the Political frame, which the *Goths* would not endure, but were ſo alienated in their minds and affections from him, that falling into moſt grievous diſorders, they drew confuſion upon themſelves, and forced him to quit the Title.

Suſſe Butte, dulch cupz, labrum.

He makes *Rechimir* his Son his Partner in the Kingdom.

24. As

Sect. 2. 24. As there never wants some, who make their Markets out of publick Calamities, and raise themselves out of the Ruines of others, there was one *Sisenand* a very good Souldier, who took the opportunity to set up for himself. His Ambition carried him into *France*, where by reviling *Suinthila*, and urging the easiness of the Enterprize, he obtained Forces of *Dagobert* for outing him of his Power, under the Command of *Abundantius* and *Venerandus*. These Forces appearing before *Cæsar Augusta*, the Nobility forsook *Suinthila* and his Son and received *Sisenand* for their Prince, which Renunciation was afterward confirmed by the Fathers of the fourth Council of *Toledo*, adding thereto an Excommunication and Deprivation of all his Estate, other than what it should please his Successour, their most Pious Prince as they call him out of his Piety to bestow upon him and his. What ground there was for this heavy censure cannot be understood, for that he was a very good Prince at least at his beginning, we must believe from *Isidore*. Indeed there are that lay Vice to his Charge, and it is not a thing strange to the Nature of man, to be puffed up and enervated by Prosperity. After his Succes's against the publick Enemies, some say, he gave up himself to be governed by *Theodora* his Wife, and *Agilan* his Brother, which procured him the Indignation and Hatred of his Subjects. The Fathers in Council assembled may a little be suspected of Partiality, not to say injustice, for cutting off from the Communion of their Body, a Prince who could not offend in seeking to maintain that power, to which he had been legally Elected. But hence seems the mischief to have proceeded: He indeavoured to settle it upon his own Family by the associating of his Son, without the Authority of the usual Election interposed. *Isidore* here makes a stop of his History, as unwilling to relate the disgrace and Miseries of a King formerly very famous, and whom he had commended to Posterity for his Vertues, being also his Kinsman. He Reigned ten Years: His Son *Rechimir* dying much about the same time, or rather being deposed with him, is not reckoned amongst the Kings (as neither *Henry* the Son of our *Henry* the second, because he died before his Father) but is confounded with him, as some of the *Spanish* Writers have observed.

For which he is deposed.

Rodericus Toletanus. Michael Ritius.

And *Sisenand* obtains the Kingdom.

25. *Sisenand* having obtained his Desires as to the Succession, was solicitous to keep what he had got how justly or unjustly soever, as knowing that some other might write against him after the Copy, which he himself had set. Sufficiently assured, that no pretence is so plausible and effectual as that of Religion, in the third Year of his Reign he summons the Bishops to meet in Council, making shew of Zeal for having the Ecclesiastical Discipline restored, which through the iniquity of the times had much gone to decay, but intending to procure the Acts of *Suinthila* to be condemned by the Fathers, and consequently bring those of his party to acquiesce in the Alteration lately made. Accordingly his Posture, Habit and Gestures were fitted, in mean Clothes, presenting himself to the Synod, where kneeling on his Knees with Tears which he had at Command, he desired their Prayers to Almighty God in his behalf. Here now amongst other things of Ecclesiastical Concernment, it was decreed, that none should be King, but he that was admitted by the free choice of the Nobility and Prelates, and *Suinthila*, as we hinted, his Wife, Sons and Brother were cursed after the Christian manner, for what they had impiously and Cruelly committed in the abuse of the Royal power. Another thing is said to have been done in this Synod, respecting the Civil as well as the Ecclesiastical state of the Kingdom, and that was the publishing of that Volume of *Gothick* Laws, which hath been wont to be called *Forum Judicum*. Many learned Men and very good Antiquaries have been of this opinion. But others chuse rather to ascribe the thing to *Egica*, one of the least of the *Gothick* Kings; forasmuch as many are therein extant, which have the Names of following Princes. As for *Sisenand* there is nothing now that is memorable of him; but that there's a difference about the length of his Reign, some counting it to have consisted of three Years, eleven Months and sixteen days; but others extend it to the space of five Years and more.

Dyes.

Chintila Elected in his stead.

26. Into his Place according to the method prescribed by the Council, was one *Chintila* elected, who thought it a very wise Course to follow his example, of summoning the Fathers together by their Reputation to gain farther strength unto his Title. The state of the Church being of Course in the first place provided for, the last in Execution, but the first and principal in his Intention and Design was accomplished as much as in them lay, the safety and Prosperity of his Person and Government. His election is confirmed, and Care is taken of his Sons, that after his Death they be no way injured nor molested. The Curse is renewed upon him, who

Sect. 2.

who should arrive at the Sovereign power, by any other means than that of Election, which is also restrained to the ancient Nobility of the *Goths*: And it is made utterly unlawfull to attempt it, during the Life of the present King, as that which would open a Door to all sorts of Tumults, Seditions and Treasons. This Synod being held in the first Year of his Reign, consisted but of two and twenty Bishops, in such great haste he was to have his matters setled, and therefore in that following, he assembled another Council consisting of above fifty, called the sixth Council of *Toledo*, wherein the Decrees of the former Synod were confirmed. And by this Political course he attained his end, the People being kept in order by this shew and pretence of Religion. For nothing else is he memorable. He died after he had Reigned three Years eight Months and nine days.

Dies.

Then is *Tulga* chosen King.

27. His empty place was soon filled by one *Tulga*, who was no whit unworthy of the place, nor of the Suffrages of those that elected him. He was a Man young in years, but old in prudence, Valour, and in all well grounded Principles of Vertue and Honour, furnished with all Abilities requisite to so high a Calling, which no way puffed him up, nor made him forget such as misery and want had plunged to the lowest condition of Mortals, whom by his extraordinary Clemency and Munificence he raised and refreshed, esteeming his Royal Treasures to be in this way best employed. He was extraordinary belov'd by the People, and their love being so great, the greater was their sorrow that they could not any longer enjoy him, for he continued with them but two years and four months, dying then of sickness at *Toledo*. So write and consent the *Spanish* Writers generally, onely *Sigebert* the Abbat hath published another Doctrine, as that he was a young man of a light and frivolous disposition, and by his Licentious Course of Life, so provoked his Subjects that they depos'd and forced him to take Orders; but a certain Bishop who lived in those very times, who both heard and saw, and accordingly made Relation as we have no reason otherwise to judge, is in this matter of Report to be preferred before a stranger, who either out of prejudice against the Nation, (so the *Spaniards* imagine) feigned this story, or received it from other hands, which e'er it could reach the true History through the distance of place was quite altered, as in other Cases is too usual.

Alii Tulcam & Tulganom appellant.

His Character,

And Death.

28. The Commonwealth upon his Decease, being tossed by the Waves of Tumult and Ambition, and ready to perish, one *Flavius Chindasuinthus* by force of Arms made himself Master of the Helm, for it's safety and Preservation as it happened. Having illegally and Tyranically invaded the Kingdom, he governed it in a quite different manner, as one that desired to abolish the Memory of his coming in, by a constant Tenour of Justice and Moderation. He knew sufficiently how much the Countenance of a Synod would contribute to the Settlement of his Interest, and resolved as soon as things were ripe, as speedily as the Temper of the Nation would bear it, to call together such an assembly. But he durst not attempt it at first, he could not trust the Bishops, whom he knew much averse to what he had practised about the Kingdom, till by his Acts of kindness and good Government, he had taken off the edge of their prejudice, and had at least laid the Foundations of their good Opinion towards him. Having done this, in the sixth Year of his Reign, some say the fifth, he summoned the seventh Council to *Toledo*. He so effectually did his business by this and other Expedients, that what had proved fatal not long since to one of his Predecessours, he durst Attempt with all Confidence and Alacrity. After he had governed alone for the space of six Years eight Months and twenty Days, as some compute, he declared *Flavius Receesuinthus* his Son his Associate in the Kingdom. After this he lived three Years four Months and eleven Days, which time is reckoned to his Sons Reign, (by reason that he governed all in the extreme Age or Dotage of his Father) and died at *Toledo*; some say of a natural Disease, others by Poison. His Body together with that of his Wife *Richerga* was buried in the Monastery of St. *Romain*, upon the River *Durius* betwixt *Taurus* and *Tordesylla*.

Chindasuinthus Usurps.

Summons the seventh Council at *Toledo*.

Makes his Son Partner with him in the Kingdom.

Dyes.

De tempore Ilde-dunus Pacensis, Lucas Tudensis, alii differunt Antiqui, uti ex Recentioribus Joan. Vasæus & Mariana.

29. *Receesuinthus* obtaining the Kingdom by Succession, was the more concerned to take Care how to keep it in the Possession of his Family. He used the same means his Predecessours had done, assembling the Bishops and Nobility for the Settlement both of Church and State. For the Reader must take Notice, that these Councils, though commonly they be esteemed merely Religious meetings, were indeed the *Comitia* or General assembly of the Nation, Lay-Persons meeting and Voting in them as well as Ecclesiasticks, as in the first which this King called together commonly known by the Name of the Eighth Council of *Toledo*, we reade of

Receesuinthus succeeds in the Kingdom.

Sect. 2.

Who calls the eighth Council,

fifteen Counts and illustrious Persons, that joyned with the Bishops and Abbats. Whereas other Princes had usually got some Decrees in their own behalf for the inlarging or strengthening of their Authority, he to please the People and preserve his Title, which he was conscious was illegal, parted with something whereof his Father had stood possessed, a Regulation of Tributes, and Exactions being made for the ease of the Subject, who in times of disturbance had been oppressed, and not eased in time of Peace. Impositions once laid on being very seldom taken off in any Government. Two years after another meeting was held, called in Books the ninth

And ninth at Toledo.

Council of *Toledo*, upon the like occasion, and for the same reasons as the former, as also in the year that followed another meeting which bears the Name of the tenth. Not only did *Recceſuinthus* provide for making of new Laws, but revised the old ones, which had been depraved by the Injury of time, repealing many and adding more as appears from the Volume it self, wherein the Laws made by this Prince, exceed in number all the Sanctions of the other Kings. All these matters related to Peace, but he shewed himself as fit for Military Affairs. For he repreſſed the Insolence of the *Vaſcons*, who again made Incursions into the Neighbouring Provinces and obliged them to rest in obedience, and duty as before. He died after he had Reigned twenty three Years six Months and eleven Days, the time he Reigned with his Father being computed, and was buried as some write in his Village then called *Gerticos* and now *Bamba*.

Subdues the *Vaſcons*.

And dyes.

Caſaudis ſepteno brits ut ſcribit Rodericus Toletanus.

In Territorio Pelentino.

30. The Kingdom of the *Goths* which exceedingly flourished in his time, was by his Death reduced into a very tottering Condition, the effect of its Constitution for being not setled upon any Family, but still Elective as it seems they would have it, notwithstanding the late precedent of *Recceſuinthus*, the hopes and Ambitions of the several Competitours drove all into Faction and Disturbance. To put an end to these mischiefs, the Nobility made choice of one *Bamba* or *Wamba*, a man very well accomplished for the place, but so prudent as to forefee the danger of it. He earnestly desired to be spared, and so long till a certain Nobleman drew his Sword and vowed if he would not be King, he should be no more a man: Yielding to the Threats rather than the Prayers and Desires of the Nobility, he yet refused to be Crowned before he came at *Toledo*, hoping in the mean time their minds might change, or so to compose differences, that he might take the Diadem with universal assent and security. After he had taken the usual Oath to maintain the Laws and Liberties, and was anointed by *Quiricus* the Bishop of the place, a Vapour is reported to have risen from his Head, and a Bee to have flown up aloft, which passage might have more seemed fabulous, if *Julian* the Bishop of *Toledo* had not affirmed it in the Book he wrote of the War of *Narbon*. He was born in that part of *Luſitania*, which to the ancients was known by the Name of *Igeditavia*, where there's yet a Town extant and called *Idavia*, and a piece of Ground wherein is to be seen a Fountain inclosed with square stone, which bears also the Name of *Wamba*; the Inhabitants believing, that the Ground was formerly in the Possession of this King. Some reported, that he was an Husband-man, and by extraordinary Designment and Revelation was drawn rather than led to be King, but this seems no other than a Fable, none of the ancient Writers making mention of any such matter, which being so remarkable, they would not have passed over in silence.

Wamba chosen King.

But against his Will.

31. No sooner was *Wamba* fixed in his Seat, but News was brought him which shewed his apprehensions of trouble and danger not to have been vain or frivolous. The *Vaſcons* incouraged by the differences raised about the Succession renewed their Hostilities, which caused him to raise an Army with all speed, and suppress the mischief e'er it too far proceeded. As he employed himself herein on the Borders of *Cantabria*, a matter of more dangerous Consequence was brought to his Ear, that a great Conspiracy was made against him in the *Gothick Gall*, by such as envied him the Royalty. The Head of this Conspiracy was *Hilderick* the Count of *Nemanſus*, who presuming upon the great distance of place, and his great power in these parts, drew in *Gunild* the Bishop of *Magalona* and *Remigius*, an Abbat, both his Neighbours. *Aregius* the Bishop of *Nemanſus* refusing to joyn with them, was removed and banished into *Gall*; and *Remigius* put into his place. They turn now all things into Confusion: The *Jews* who had been banished they recall, conceiving they would not a little strengthen their Interest. *Wamba* as soon as he could conveniently sent one *Paul* against them, a *Grecian* as they say, both as to Birth and Fidelity, though a man of good Conduct, both in matters relating to Peace and War. He instead of extinguishing added Fuel to the Flame, entring speedily into Confederacy

The *Vaſcons* renew their Hoſtilities.

A Conspiracy in the *Gothick Gall* against him.

Sect. 2.

Confederacy with the Rebellious *Goths*, and drawing to his party *Ranoſindus* the *Tarraconian* Duke and *Hildigiſus* called also *Gardingus*, a word denoting Magistracy and Power. By their Council and Assistence *Barcelona*, *Gerunda* and *Auſa* are seized in the entrance into *Spain*; and now they are for *Gall*, where they doubt not to be too strong for the King's Friends.

32. Being come to the City of *Narbon*, *Paul* calls both the Citizens and the Souldiers together, to whom he accuses *Agebandus* the Bishop of the place, for having caused the Gates to be shut against him and his followers, as indeed at first he did, till satisfied more of his own Inability to contend with them, than of the righteousness and Justice of their Cause, he commanded that they should be admitted. He indeavoured to prove it Lawful, to renounce obedience unto *Wamba*; who he affirmed was not legally chosen, but onely by the rash adventure of a few Persons, and at length came to the point, that they should make choice of another, whom being legally Elected, they might as legally and Chearfully obey, and follow, to suppress the Faction of the Usurper *Wamba*. Hereat *Ranoſindus* not by chance, nor on a sudden, doubtless with a loud Voice and much Earnestness affirmed, that a more worthy Person than *Paul* himself could not be found, which was received and approved by divers that were there set on purpose; the confused multitude embraced it, and the Wiser sort in such Confusion and Danger thought it best for them to be silent. Then was *Paul* pronounced King, and the Crown set on his Head, which formerly *Reccared* had dedicated to *Felix* the Martyr, for the Rabble that promoted him, spared nothing, either sacred or prophane. *Hilderick* the first Authour of the revolt was easily drawn in to own him, though he could have wished himself the Man; and so all the Cities of the *Gothick Gall* readily submitted, as also did no small part of the *Tarraconian Spain*, drawn by the Authority of *Ranoſindus*. *Paul* now thinking himself secure, and swelling with the Pride of his high preferment, wrote Letters to *Wamba* full of opprobrious Language; and from them and the great Faction which now prevailed, some very rationally think, that the Fable proceeded of his being an Husbandman, and taken from the Plow-tail to wear a Crown, whereas he was of the prime Nobility of the *Goths*, and of highest place and Esteem with the former Kings.

Paul Uſurps.

33. *Wamba* upon notice of the Treason of *Paul*, called the Nobility together to consult what was to be done. Some were for marching presently against the Rebels, to prevent the farther strengthening of themselves, urging that Expedition in War doeth the greatest wonders. Others were for deferring the Expedition, till he could gather more strength by setling his Affairs, and increasing his Army, the weakness whereof was evidently seen in this, that as yet the *Vaſcons* were not fully reduced to obedience. He made choice of the former Course as the safer, both in respect of the Enemy, who if let alone might grow too formidable, and the minds of his own Men who being now full of Anger and Desire of revenge, he thought it not fit to let them cool; but incense them farther as he did, by laying before them as well the Horridness of the Rebellion it self, as the Miseries which their Friends underwent, that lived within the reach of the Usurper. By his words the Souldiers were so confirmed and animated to fight, that within seven days they quite subdued the *Vaſcons*, a fierce and warlike Nation, as a good beginning and Omen of future Victory. As such receiving it, with incredible Alacrity and speed they marched through *Calagunis* and *Oſca*, into the Borders of *Catalaunia*, where they were divided into three parts; whereof one had Orders to make for *Caſtrolibya*, the Metropolis of the *Ceretani*, another was sent against the *Auſetani*, and a third was Commanded to waste the Countrey lying by the Sea, the King himself marching after with a strong party, and executing Discipline severely against such as ravished Virgins, and made Depredations contrary to Command.

Wamba subdues the *Vaſcons*.

Then marches against the Uſurper.

34. Coming to *Barcelona*, he took it with much ease, and referred the Authours of the Revolt to punishment. *Gerunda* was delivered up by *Amator* the Bishop, who had received Letters from *Paul*, bragging that he would speedily be with him, and advising him to receive and own him as King, who should first be there; which having read, *Wamba* not improperly said, *He has Prophesied concerning us and our coming*. Thence after two days, they entred and passed the Straits of the *Pyrenæans* without any Lett or Molestation, having taken by storm *Cancoliberis*, *Zulturaria* and *Caſtrumlibya*, the plunder of which was given to the Souldiers, besides *Clauſara* a Town, as the Name declares, situate in the very Strait it self, wherein were taken *Ranoſindus*, *Ildigiſus* and others of the chief Conspiratours. From *Sordonia Wittimir* fled, leaving it to the Conquerour, to bring News to *Paul*,

Takes several Towns, and some of the Conspiratours.

Sect. 2. who was all this while making Preparations at *Narbon*, and first thought to meet *Wamba* and give him Battel, but afterwards changing his Opinion, left that City to the Care of *Wittimir*, and betook himself to *Nemausus* there to receive the Succours he expected from the *Galls* and *Germans*. The King being descended into the plain, staid two days to Rendesvouz his men, who were to come several ways over the Mountains. Then did he dispatch away four of his best Captains to reduce *Narbon* with Competent Forces, furnishing out moreover a Navy to block it up by Sea. The Land Army got first thither, and having in vain solicited the Inhabitants to return to obedience, took it by plain Force, and therein *Wittimir* who to their Summons had returned nothing but reviling words. The taking of this Town quite ruined the Faction, the People now beginning to reflect upon *Paul* and his Title, and to talk of the mild and peaceable Temper of *Wamba*. In the same Course of Victory were also taken by force *Magalona*, *Agatha* and *Biterris*, and therein several of the principal Conspiratours.

35. *Paul* still kept himself within *Nemausus*, a City in those times much flourishing with multitudes of Inhabitants, stately Buildings, and the strength of the Walls, as considerable as any other in *Gallia Narbonensis*; having many Monuments in it of the *Roman* Empire, and amongst the rest a spacious Theatre, which adjoyning to the Wall served very well in the room of a Castle. Four Captains were sent before by *Wamba*, who being elevated with the late Succes and good Souldiers, though not much skilled in what concerned Sieges, impatient of delay fell upon the Town as soon as they saw it, with the Force of thirty thousand Men, they brought along with them. No Courage, no Animosity sutable to their several Concernments was wanting to either party, Night onely parting them for the present. But the besiegers retiring, those within thought themselves Victours, and one of them in the heat of the fight insulting over the Kings Souldiers boasted, that shortly would arrive to their Relief, such multitudes of *Germans* and *Franks*, as would drive them up like Deer and cut their Throats. A small matter oftentimes in War administers occasion to some extraordinary Occurrence. The News hereof was sent to *Wamba* with Desire of speedy supplies, forasmuch as all hope of Victory was placed in expedition. He dispatches away ten thousand Men more, under the Command of *Wandemir*, who marching all Night reached the place the next day, before the Assault was renewed. At the sight of them *Paul* was quite out of heart, yet made a Speech to his men full of Words, signifying Confidence and resolution; and the storm was renewed with great fury, which pertinaciously continued till the day was far spent, and the besieged were quite tired out. Then did the besiegers scale the Walls, set fire to the Gates, and batter the Walls. At the entry, the Citizens and *Franks* imagining, that the Town was betrayed by such *Spaniards* as *Paul* had brought along with him, to gain pardon from the King, fell upon and killed many of them. Being therefore beaten down and slain before by the King's Souldiers, and behind by their late Friends within; this promiscuous slaughter afforded a miserable Spectacle, nothing being to be seen but Bodies weltring in their Bloud, to be heard, but the Groans of dying Men, the shrieks of Women, and the miserable crying of Children in all places.

At last Nemausus, wherein the Usurper was.

36. *Paul* who had been the Cause and Authour of so great a Calamity, putting off his Robe retired with a select Company to the Theatre, where trusting to the strength of the place, he resolved to obtain honourable Terms, or to dye Courageously upon the spot. It's observed of him, that he put off the Royal Ensigns the very day of the Year, namely the first of *September*, whereon *Wamba* at the instance of the Nobility had put them on. Part of the City being taken, the Officers would not proceed till the King came, that he might have the Honour of the Conquest. The Townsmen thought fit to send out *Arbegundas* their Bishop to mediate for their pardon, who meeting him four miles off from the City, on his bended Knees with Tears and Lamentations, indeavoured to mitigate his Anger, which in great measure he effected. For *Wamba* triumphantly entring the City, which now yielded wholly to him, *Paul* himself and above twenty other Officers, notwithstanding his former resolution submitted to his Mercy. He pardoned the multitude, and took three days time to consider how to punish *Paul*, and his chief Adherents, in the mean time taking Care for the cleansing of the City, and the repairing of the Fortifications on that side, that lay toward the *Franks*, who were reported to be on their way, with a design to have raised the Siege. Some of that Nation and of the *Saxons*, who had either remained there as Hostages, or had been drawn in to side with the Rebels at the beginning, he

Sect. 2. he sent away not empty handed. The three days being past, he mounts a Throne more elevated than usual, and the Prisoners are brought before him. He first trod upon all their Necks, and then demands of *Paul*, whether by any Injury he had been provoked to contrive this wicked design against his King and Countrey. He denied he was at all injured, on the contrary affirmed he had received much kindness from the King. Then was his oath of Allegiance to *Wamba* recited, and the oath which he exacted from the People at his Usurpation. Then was pronounced the Sentence against Rebels, according to the Laws of the Councils, *viz.* "Ignominious "Death, with the Confiscation of all their Estates, with this Promise, that in Case "the King had pardoned them their Lives, yet they should at least be deprived of "their sight. Yet did the King out of his innate Clemency and desire to win the affection of the People, inflict no other Punishment upon them, than to cause their Hair to be cut off, which in those times was taken for the chief Mark and token of Nobility.

The Usurper's Tryal.

37. All this while *Chilperick* King of the *Franks*, was reported to be at hand with a considerable Army. He thought fit therefore, to stay and expect him for some time; but having staid four days to no purpose, he concluded he had done enough, both for the reaping the Fruit of the late Victory, and his own Reputation, and left by provoking the *Franks* he should seem first himself to have broken the League, he resolved to prepare for his removal out of *Gall*. But while this was in hand, News was brought him, that one *Lupus* a Captain of the *Franks* wasted the Countrey about *Biterris*, which obliged him to move towards him with his Army, although it did not much retard his Journey. For the Rovers hearing of his coming in a confused manner fled to the Mountains, leaving their plunder behind them, so that the *Gothick* Army had nothing to doe, but to kill and take pillage, wherewith inriched, it marched back to *Narbon* without having received any wound. Hence part of it was sent to re-inforce the several Garrisons of the Countrey, and the rest of it being commended much for Valour in a Military Oration, was disbanded at *Canaba*, a Town belonging to *Narbon*. The King returned into *Spain*, and in great Triumph entred *Toledo*, the sixth month after he had thence departed, with mighty Honour for his late Atchievements. The Rebels went before upon Camels, with their Heads and Beards shaven, in ragged Clothes: *Paul* in greater derision wearing a Crown of black Leather. The King's Souldiers followed after very well clad, and carrying Joy and Triumph in their Countenances, the King himself bringing up the Rere, and by his reverend gray Hairs, and the Reputation of his late Actions increasing the Majesty of his Royal Office. The whole City ran out of the Gates to meet him, and astonished at the Spectacle followed him with their lucky Acclamation; and the Solemnity ended by conducting the Criminals to perpetual Prison.

Wamba returns Victoriously to Toledo, with his spoils and Captives, who are condemned to perpetual Imprisonment.

38. *Wamba* being now at rest and secure as to Foreign matters, applied himself to the inriching and adorning his Kingdom, that it might reap the Fruits of that Peace which at present it enjoyed. His Royal seat of *Toledo* he inlarged and compassed, *With a perpetual Wall*, as one terms it, reaching from the Suburbs of St. *Isidore* to both the Bridges. For this City is more than three parts of it washed by the River, which betwixt exceeding high Banks runs headlong amongst the Rocks and Stones. The other part of it has a most difficult access from the Plain, being before the time whereof we write, Fenced with a narrower Wall, the remains of which were to be seen in the time of *Mariana*. Now by the diligence of *Wamba*, were the Suburbs taken in, and to make it more sure, a lower Wall was added to the former, Marbles which were taken out of the *Roman* buildings, being to be seen in it, wherein are ingraven Images representing *Wheels* or *Roses*, thought by the Vulgar to have been *Wamba* his Arms, but erroniously, forasmuch as they are placed in no Order at all, but confusedly as they happened to be brought to hand. But in a certain Tower he caused some *Verses to be ingraved, as a Testimony of his publick Spirit, and as his Monument to posterity, and on the tops of Towers erected statues to some of the Saints, of white Marble, to which as *Tutelaries* or Patrons, by other † Verses, he recommended the City, which Verses being obliterated, and the statues decayed and fallen down by the force of that, which brings to a Period all sublunary things, Philip *the second King of* Spain, in the last Age commanded to be repaired.

He fortifies the Town.

* *Erexit fautore Deo Rex inclytus urbem Wamba, sua celebrem protendens gentis Honorem.*

† *Vos Domini Sancti, quorum hic præsentia fulget, Hanc urbem & Plebem solita servate favore.*

39. *Wamba* his delight in things of this Nature, was at last interrupted by a report of a mighty Fleet of *Saracens*, coming out of *Africk*; For this People having in a manner Conquered all that Countrey, with no fewer than two hundred

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hundred and seventy Ships infested the opposite Coasts of *Spain*, against which *Wamba* making as early opposition as he might, rigged up his own Fleet, and manned it out with so resolute Souldiers and Seamen, that they quite defeated the *Saracens*, and either took or burnt all their Ships. Some, and not without reason, suspect, that by the ambitious practices of Count *Ernigius* this Fleet was brought against *Spain*, to make way for his promotion, by the destruction of *Wamba*. In the Reign of *Cindasuinthus* one *Ardanastus* being banished by the Emperour his Master, came out of *Greece* into *Spain*, and committed himself into the hands of the King, who kindly entertained him, and gave him to Wife his own Kinswoman. Of this Marriage was born *Ernigius* (or *Eringius* as some call him) who being brought up at Court, could not content himself with the Title of Count, but aspired after the Regal Diadem; of compassing which, he was not without advantages, being in great favour with the Nobility, which he both got and preserved by his affable carriage and humour, well accommodated to the temper and disposition of the times. Yet knowing he could not accomplish his desires so long as *Wamba* lived, nor yet after his death, if the Nobility should be allowed a free choice, because *Theodefred*, the Brother of *Receswintha* was still living, who had at the last Assembly been onely omitted for his tender Age, he resolved in some extraordinary manner to attempt it. The business of the *Saracenian* Navy having miscarried, he procured poison to be given to the King, who falling thereby into great torments and danger, when he now seemed ready to give up the ghost, had his Hair cut off, and put on the habit of a Monk by the persuasion of *Ernigius*, who when his head was light and intoxicated by the force of the poison, easily * procured him to nominate him his Successour, which was done by a Writing sealed with the King's Seal. *Ernigius* persuaded him to take the Habit, hoping by that means to unking him, though he should recover. And he was not mistaken in his Apprehensions, for *Wamba* the next day coming to himself, yet resolved to accept of the Religious kind of life, either through his greatness of mind or despairing to resettle himself; *Ernigius* having in this time, in a manner, seized on the Sovereignty. Therefore did he betake himself to a Monastery in a Village called *Pampliga*, where he most devoutly spent the remaining part of his life, *viz.* seven years and three months, or as others say above. He reigned eight years, one month and fourteen days.

Defeats the Saracens.

Is poisoned by *Eringius*.

Turns Monk.

* *Ita quidem conciliandi sunt auctores Rerum Hispanicarum Scriptores cum Aliis Concilii Toletani duodecimi in cujus capite primo confirmatur Electus Regis Erwigii & universa Synodus testatur ibi & scriptis & testimonio confitare Ernigium a Wamba (ita enim appellat) electum Regem antequam se monasticae vitae Consecraret & Consecrationem ipsius ab eodem Rege Fultano Praesule studiose Commendatam.*

In Magnoni valle fitum? an prope Burgensem civitatem?

Ernigius obtains the Kingdom.

40. *Flavius Ernigius* thus by indirect means obtained the Kingdom of the *Goths*, and knowing that things ill got seldom prosper, set himself with the greater care and industry to the preservation of it. He remembred that in such cases as his, and at a dead lift Religious Pretences had done wonders, and therefore he will be as zealous as any of his Predecessours, the Cause of Religion and Privileges of the Church are now much in his mouth, as most dear unto him, for which purpose he must also call the Fathers together. The Fathers loved to meet one another often, and being easily made to believe that *Wamba* resigned his Crown to *Ernigius*, confirmed out of gratitude and prudence the possession of it to him, for they wisely concluded that it was good sleeping in a whole skin; and why should not they submit to Providence, and own him that was in possession? To this they were more induced, or as we may say, hired by a privilege granted by this Usurper from the Crown, that whereas heretofore *it belonged to the King alone to make Bishops, he granted it to the Archbishop of* Toledo. Scarcely were two years passed and gone when he calls them together the second time to make farther provision for his good Government. In this Meeting of Ecclesiasticks and Seculars, which is called the *Thirteenth Council of* Toledo, an Act of Oblivion passeth for such as had taken part with *Paul* the Usurper, and because little money was stirring, and too heavy burthens lay on the People, certain Impositions are taken away, and the Arrears forgiven. For now (as in all such cases of Usurpation, Usurpers ever making best Laws) not the King, but *Ernigius* was concerned, the Controversie was not whether the Privileges of the Crown be maintained, but whether the House and Family of him that wore it was to be preserved. Whereas men of mean Parentage, had by indirect practices crept into places of Dignity and Honour, and the Bloud of the ancient Nobility of the *Goths* was even quite imbased by promiscuous and unequal Marriages, care is taken for prevention hereof for the time to come. To these was another Law added in favour of *Linbigorona the Queen and her Children, to protect their Persons and their Estates; that they might not feel the effects of that Popular Scorn and Indignation which they had too good ground to fear might fall upon them after his death.*

He calls the twelfth,

And thirteenth Council of *Toledo*.

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41. All this Provision yet did not satisfie the mind of *Ernigius*, but the following year he must Summon another Assembly, which is called the Fourteenth Council of *Toledo*, a good occasion being presented of confirming the Acts of the Sixth General Council held at *Constantinople*. Besides the trade of Councils whereby he knew that he obliged the Ecclesiasticks (the best part of the State) more than by any course he could take, he resolved to provide farther for his Family by an Alliance with the Family of *Wamba*, Marrying his Daughter *Cixilo* to *Egica*, the Kinsman of the injured and deceased King. He took an Oath of him, that in case of his death he should by all means possible procure the quiet and safety of the Queen his Mother-in-law and her Children, not suffering any one to invade the Rights or Estates of the Orphans. His Family being setled, as well as in prudence he could devise, he set himself to the amendment of the Laws, repealing several made by *Wamba* as too severe, especially that concerning the Raising of Souldiers. And so at length he died of Sickness at *Toledo* on the thirteenth day of *November*, being *Friday*, *A. D.* 687. after he had reigned seven years and five and twenty days, notwithstanding all his endeavours bearing the Title of Famous, rather than Honest (or of Good Report) to posterity, although the Commendation of Clemency and Liberality much practised by him are wont to cover very great faults. In his days *Spain* was sorely vexed with Famine, which gave him a very fit occasion to be Popular for his liberality. The Walls and Bridge of *Emerita* were Magnificently repaired.

And fourteenth Council of *Toledo*.

And as much as in him lay provides for his family.

And dyes.

Egica succeeds.

42. The day preceding his Death he declared *Egica* his Successour, absolving the Nobility from the Oaths they had taken in his own behalf. *Egica* being anointed and confirmed in his seat, could not persuade himself that his Predecessour and Father-in-law had by his late Acts of kindness to him in particular made amends for the grand injury offered to his Family; but thinking it most just and auspicious to begin with revenging its Cause, put away *Cixilo* his Wife, though he had a Son already by her named *Witiza*. Some have believed that *Wamba*, being yet living, persuaded him to doe the thing, having some sparks of Malice and Revenge yet covered under his Religious Zeal. Some of the Nobility also, by the means of whom *Wamba* had been so handled at his Imprisonment, were punished as they had deserved. Except this leachery of Revenge be accounted a stain in his Escutcheon, *Egica* may pass for one of the best, wisest and most moderate Princes, being a Person very well accomplished both for the Arts of Peace and War. He was not wanting to himself in that secret of his Predecessours of Cajolling the Churchmen, but Summoned the Fifteenth Council of *Toledo*. Here he propounded a great Case of Conscience, and prayed he might be effectually resolved. He had taken an Oath *to protect the Wife and Children of* Ernigius *in their Lives and Fortunes*; but so the case stood, *that much of their Estates had been unjustly got; whether then might he not dispence with his Oath in relieving such as had been unjustly oppressed?* To this it was gravely answered, *That the ties of his Oath ought not to be so sacred as to hinder the execution of Justice*; he being doubtless left Judge to determine matters of Fact and Right in things respecting Persons he so greatly hated.

Who Summons the fifteenth Council of *Toledo*.

The Archbishop whereof conspires against him.

43. Against him conspired *Subert*, the Archbishop of *Toledo*, a man of an haughty and aspiring humour, nothing befitting the Place or Dignity which he bore in the Church. To his Ambition was not wanting the necessary Concomitants, *viz.* Diligence and Courage, which he employed to such purpose, that the Kingdom being by reason of the difference about Successon full of discontents and factions, he drew into the Conspiracy both a great Number of the Nobility and others. He drew to his Assistence the *Franks* also, with whom the Loyal *Goths* fought three Battels, and every time came off with loss, though by the injury of time we are deprived of the Account of the Number of the slain, and the particular Accidents on both sides. This we know, that the External difficulties *Egica* removed, by applying an effectual remedy to the inward distempers. *Subert* had not cajolled his Brethren the Bishops, either out of his pride disdaining to stoop to his Inferiours, or because they emulated and scorned his towring Imaginations. The King therefore calls them together the second time to that Assembly which bears the Name of the *Sixteenth Council of* Toledo, by the Decree of which *Subert* is deposed, banished his Countrey, deprived of all his Estate, and so excommunicated as not to be Absolved, except *in articulo mortis*, according to the Provision of the Ancient Canons. For greater security of the King and his Successours, it is farther ordained, "That what Religious Persons soever, of any Religion, Order or Degree, should be guilty of such a crime, should be subject to the same penalties.

Ex Luca Tudensi fide.

But in the sixteenth Council summoned by *Egica*, he is punished accordingly.

In

Sect. 2. In this Synod the *Gothick* Laws were more diligently revised than formerly, and Prayers were ordered to be made every day in all Churches for the King's Person and Issue, which we may perhaps exemplifie in a more proper place.

He calls the seventeenth Council of *Toledo*.

44. The year following was held at *Toledo* the seventeenth Council, wherein the *Jews* being said to have conspired with their Brethren of *Africk* for the destruction of the Kingdom of the *Goths*, were condemned to perpetual slavery, and their Children, when seven years old, ordered to be taken from them, and brought up in the Christian Religion. Provision was made for *Cixilo*, though put from her Husband, as indeed care had formerly been taken for all Queen-Mothers, that after the death of their Husbands they might enter into a Monastery. *Egica* having reigned ten years by himself, took his and her Son *Witiza* to be his Partner in the Kingdom; but left a continual society should beget unkindness and differences betwixt them, sent him to govern the Kingdom of the *Suevi* in *Gallicia*. In *Spain* were extant not long since Coins stamped with both their Names, and in that Countrey in a pleasant Valley near to the City *Tuda*, abounding with Oranges and Limons, was lately to be seen the Ruins of his House of Pleasure, that City being appointed the seat of his Kingdom by his Father. To this place was Banished *Fafila*, the Duke of *Cantabria*, the Son of *Cindasuinth*, for fear of Commotions upon his Account. *Witiza* was no sooner come, but he fell into a liking of his Wife, as she also did of him, and amid their impure imbraces it's resolved that *Fafila* dye, which he did by a blow on the Head given him by *Witiza*, near the River *Urbicus*, in a Town called then *Duodecim Manus*, now *Palatium*. This *Fafila* was Father to *Pelagius*, the Restorer of *Spain*, as we shall see anon.

And makes his Son *Witiza* Partner in the Kingdom.

Lucas Tudensis.

Rodericus Toletanus.

Egica dying, *Witiza* his Son succeeds.

45. Five years after his being made King of *Gallicia*, *Witiza* succeeded his deceased Father in the entire Kingdom of *Spain* and the *Gothick Gall*. At the beginning of his Reign he notably covered his vitious inclinations, and dissembled that Humour which in time came to rage in him. He recalled such as had been banished, and restored them to their former Interests: He commanded the Records of Offences committed in turbulent times to be burnt, that no memory might remain of them, that no Infamy or other punishment might follow them. But by his following Actions he endeavoured to render all Acts of Sobriety and Clemency ridiculous, fully giving himself up to the Power and Sovereignty of those temptations, which accompany a youthfull Age, backed with Supreme power and affluence of all things. He delivered up himself, as all such doe in this case, into the hands of Parasites, by whom being incouraged, nay thrust forward into all sorts of Lusts, he left nothing of extravagancy unpractised, and openly shewed that a fear of his Father, and not dictates of his own Conscience had kept him from running hitherto into all excess of Riot. He took many Wives, and more Concubines; and to propagate the mischief, made a Law, "That it should not onely be "lawfull for the Common people and Nobility to doe the like, but for Church-"men also; which liberty, suiting with the corrupt inclinations of man's nature, was taken by many. As in his Father's time he had begun to root out the Race and Posterity of *Chindasuinthus*, so now he thought he had much more reason to accomplish it, because that those who could not like his courses, cast their eyes upon those Princes as the onely surviving hope of the *Gothick* Nation.

His character.

He allows Polygamy.

46. *Fafila* or *Favila* he slew, as was lately mentioned. There was another Brother of *Chindasuinth* yet living, the Brother of King *Recesuinth*, viz. *Theodefred* the Duke of *Corduba*, where he lived a retired life, in a Palace there built by himself, on purpose to shun the Envy and Jealousie of the Court. This *Theodefred* he procured to be deprived of his sight, and would so have treated his Son *Ruderick*, as also his Nephew *Pelagius*, the Son of *Favila*, but that they happily escaped the Tyrant's hands. Knowing the People to be much incensed by his lewd practices, to render their Anger and Indignation vain, he resolved to disarm them, and therefore under a pretence of Peace caused the Walls of all the Cities of *Spain* to be raced except those of *Toledo*, *Leon* and *Astorga*, which he either thought he might trust, or rather feared to provoke them. *Roderick* the Archbishop of *Toledo* adds, that he took from his Subjects the use of Arms, that they might be in no capacity to resist him, but another ascribes this Practice to *Roderick* his Successour. To these crimes he added the Restitution of the *Jews*, who had been so solemnly banished, giving them greater Privileges than ever, and violated those of the Church, thrusting *Sindered* Archbishop of *Toledo* out of his Chair, and putting in by force *Oppas*, whom most make his Brother, and some his Son. To his life such an end happened as was most just and agreeable, though as to the manner of it, Authours do not

Disarms most of his Subjects.

Lucas Tudensis.

Olpam alii appellant.

not agree. Some tell the Story how *Roderick*, the Son of *Theodefred*, flying from that mischief which had overtaken his Father, went to the *Romans*, and from them obtained forces for the suppression of the Tyrant. Whom having defeated and taken in battel, he used in the same manner his Father had been served, putting out his Eyes, and confining him to *Corduba*. And there have not been wanting who ascribe this Act of Revenge to *Costa*, the Brother of *Roderick*, whom they affirm to have reigned five years, whereas neither the Account of time suffers any such thing, neither have *Isidorus Pacensis*, *Lucas Tudensis*, *Rodericus Toletanus*, or King *Alfonsus* the Tenth, the best Writers of the *Spanish* History, placed *Costa* in the Catalogue of *Gothick* Kings, nay so much as made any mention of him. Those Writers who for Number and Diligence exceed others, affirm that *Witiza* died of Sickness at *Toledo* in the tenth year of his Reign, leaving two Sons, *Eba* and *Sisebate*, the Title of whom while most maintained, and others opposed, it involv'd the State in great Calamities.

Sect. 2. Rodericus Toletanus.

Dies.

47. Yet had these Calamities an higher rise than from the Titles of these Ambitious Princes. The fate of the *Gothick* Monarchy now pressed heavy upon it, and this fate was inforced by that which causeth and precedeth the Ruine of all States and Empires. When Kingdoms once come to an height by the force of Arms and prudent Conduct, ease and wealth beget sloth and luxury, which at length wholly enervate the minds of Princes and People, and procure the overthrow of that Dominion which their Ancestours with so great expence of bloud and treasure had raised. Such was the condition of the *Goths* of *Spain* at this time. Their minds and bodies were both enervated and out of order; for all their time they spent in drinking, eating or whoring, the Prince had no care of the State, the Nobility thought they might justly follow his example, and the Common sort could not but write after such Copies. Hence lay they exposed to all sorts of Seditions, like drunken men, fit to quarrel with one another, but not able to grapple with any bye-stander or looker-on; so that that Empire and Dominion which had been obtained by their Forefathers, who had made all Countries where they came to tremble before them, now became the bait of Foreigners, and an easie prey to those that would but adventure for them. Yet *Roderick*, who by the Suffrages of the Nobility, as many believe, had ascended the Throne, gave not any great occasion at first to cause the most considerate sort of men to despair upon his account; for he was endowed with many notable qualities both of mind and body. He was a man fit for business. Of an able head to contrive, and a resolute heart to execute, aspiring after the greatest things, and excelling in Acts of Magnificence and Liberality: He had a body fit for such a soul, most able to incounter all difficulties attending labour, hunger and thirst, heat and cold in their extremity. But these Vertues were equalled by as great Vices, which appeared upon his preferment to the Crown. He never forgot any Injury, was most Intemperate in his use of Women, and as if the Crown had infected his head with the disease of his Predecessour, became so indiscreet in the management of publick business, that he resembled *Witiza* more than his Father, or any other of his Ancestours.

Roderick chosen King.

His character.

48. Having, as he thought, setled his Affairs, he applied his mind to the inlarging and beautifying of the Palace in which his Father had lived near to *Corduba*. On his Cousin *Pelagius* he had pity, as involved formerly with him in the same calamity, and recalling him from Banishment, made him Captain of his Guard, an office at this time of greatest Dignity and Honour next the King. But the hatred he had of a long time conceived against *Witiza*, he could not now conceal nor forbear to turn it upon his Sons, but put all the affronts and disgraces he could possibly upon them, which not able to bear, and suspecting they would at length end in extremity, they thought it safest for them to quit *Spain*, and passed over into that part of *Africa Tingitana*, which then was subject to the *Goths*, commanded by *Regnila* the Count, the Deputy, as is believed of Count *Julian*. This *Julian* married the Sister of *Witiza*; and after the death of *Favila* and the flight of his Son *Pelagius*, who had executed the place, was made by him *Protospatarius* or Captain of the Guard. Now he was Governour or Lieutenant of that part of *Spain* which lies next to the *Herculean* Straits, from which there is shortest passage into *Africk*, and was possessed of many Towns thereabout, so that for Wealth and Power he gave place to no *Gothick* Subject, and became formidable even to the King himself. The Sons of *Witiza* being so greatly provoked in their passage, began to entertain secret intelligence with him and others, for changing the face of Affairs, and outing *Roderick* of his Government, *Oppa* the Archbishop their Uncle

He is severe towards the Sons of *Witiza*, who with others conspire against him.

Sect. 2.

cle being conscious, who by his birth and his present great Wealth and Authority could doe much; and their party was increased by many of the Nobility and others, who either desired to be revenged for former injuries, or gaped after Innovation upon the Hope of future profits and advantages.

49. *Roderick* lying under these disadvantages, and threatned by the danger of such an Alliance and Conjunction, though he could not be so sottish as to be utterly ignorant of his Estate, yet neglected them when he might have suppressed the danger in the beginning. But he was so far from healing the wound by any proper and effectual applications that he widened, and by a fatal Act of lust and violence made it deadly and incurable, provoking his Enemies to put in practice that horrid piece of revenge which hitherto in their minds they had but devised. It was the custome of *Spain* in those times that the Children of Noblemen were brought up at Court. Their Sons waited on the King at home, and followed him in his Wars, by which means were bred many eminent Captains. Their Daughters in like manner served the Queen, learnt to Sing and Dance, till being fit for Marriage, they were bestowed according to the quality and discretion of their Parents. Amongst these Maids was *Cava*, the Daughter of Count *Julian*, a Virgin of extraordinary Beauty, who, upon a time as she was playing with her equals, chancing to uncover her Body farther than usual, the King then looking out of a Window, desperately fell in Love with her. Nothing else doth he now meditate, on nothing else he looks, and each look doth not allay, but increase his grief, sending fresh darts of lust and fury unto his heart. At length he gets an opportunity, and enjoys her by force, when neither intreaties nor commands, promises nor threats could procure a compliance.

Roderick ravishes the Daughter of Count Julian.

50. The Maid boiling with the Rage of hatred and revenge, as much as ever he did with that of brutish lust, writes to her Father, who was then sent upon some extraordinary Errand into *Africk*, in modest expressions telling him what had happened, and by as pathetick as she could, exciting him to revenge. This was no hard matter to doe, considering how he and his Relations stood formerly affected. He returns speedily into *Spain*, and being an extraordinary Artist in Dissimulation, gets him to Court, where he betrays not the least sign of sorrow or regret, but gives his Attendance with as much diligence, and as smooth a countenance as ever; and is admitted to all secret Councils as formerly, something out of respect to his own Merits, but much more out of Love unto his own fair Daughter. He takes his time, and insinuates to the King, that forasmuch as *Spain* was now in perfect peace, and the *Franks* and *Moors* did often molest the Countries bordering upon them, he would send all his Horses and Arms into *Gall* and *Africk*, where they might doe service against the Foreign Enemy, rather than lye idle and rusting at home. Having persuaded *Roderick* to doe it, and see the thing performed, he then pretends that his Wife left by him in *Africk* was there sick, and that nothing but the sight of her Daughter, whom she dearly loved, could recover her. With much adoe he obtained leave for her to cross the Sea, and they took Ship at *Malaca*, where there is an Haven bearing the name of *Cava*, which Tradition will have to have been so called from this Lady. In the mean time *Roderick*, as some have written, by his Covetousness and Curiosity makes preparations for the meeting and hastening of his intended ruine, by opening a certain Palace in *Toledo*, which was made up fast with the strongest Locks and Irons that could be devised, because at the opening thereof the Destruction of *Spain* was portended to follow. He could not be brought from believing that vast Treasures by the provident care of the former Kings were there deposited, and his curiosity to see could not be overcome by the prayers and intreaties of all sorts and conditions of men, who out of a Religious respect abhorred the thought of opening the Palace. But no treasure was found therein, onely a Chest with a Cloth, whereon were painted the strange and uncouth faces and habits of men, with an Inscription, whereby was signified, that *Spain* should be shortly after conquered by those to whom such visages and garments then belonged. Both the habits and faces seemed to be those of *Moors*, whereupon the King and Nobles were fully persuaded, that the mischief threatned was to come from *Africk*, and he too late repented of his unlucky curiosity. Some much contend for the verity of this Story, others contemn it. A third, some say the wisest sort shew an indifferency both as to the one and the other part.

Who studying revenge.

51. *Julian* having conferred with his fellow Conspiratours in his way, crosses the Straits into *Africk*, and betakes himself to *Muza*, who being a man of prompt boldness, and very sagacious, governed *Africk* at this time as the Lieutenant of *Walit*, the

Conspires with the *Moors* for the Invasion of *Spain*.

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the *Miramamolin* or chief Prince of the whole Nation of the *Saracens*. He tells him a long Story of the unsufferable Tyranny of *Roderick*, instances in the Sons of *Witiza*, who were in a destitute condition through his ill usage, forced out of their Native Countrey. He lays open to him the whole State of *Spain*, with the easiness of obtaining it, by which a way would be opened for the Conquest of all *Europe*, to which it stood hitherto as a firm Rampart; in conclusion, he offers if he might have, though a small yet a speedy assistence to bring this about, having very many of the Nobility at his Beck, and being Governour on both sides the Straits over which the Forces must be conveyed. The Barbarian was not displeased to hear of Conquering *Spain*, he onely doubted of the means to compass it, having the fidelity of a Christian in suspicion. Communicating the Design with the *Miramamolin*, he thought it not amiss to try *Julian* first with an inconsiderable Force, and either supply him with more, or rest there as he should see occasion; the rather because he had work enough for his men in that large Province. He sent him an hundred Horse and four hundred Foot, which wasting and plundering the borders of the Continent and the Islands, when he saw that the thing succeeded according to his wish, at the farther Instance of *Julian*, and under Conduct of one *Tariff*, firnamed *Abenzarea*, who had but one eye, he Shipped away twelve thousand more in Vessels belonging to Merchants, the better to prevent discovery.

Mariana Miramamolin. Joh. Vasæus Miramolin, Roderico Toletano Amiramomen. Interpretatur Credentium Princeps. In historiis Arabum nunc Caliphes dicitur, quod Romana Interpretatione successor est.

Which is undertaken to the ruine of the Countrey.

52. With these the said *Tariff* or *Tarac*, the Son of *Atodalla*, seized on the Hill *Calpe*; and hence the City *Heraclea* standing upon it, received the Name of *Gebaltariff* (now *Gebraltrar*) from *Tariff* and *Gebal*, which in the *Arabian* Tongue signifieth an Hill; and a Neighbouring Town came to be known by that of *Tariffa*, whereas it was in ancient times called * *Tarteſſus*. *Roderick* understanding the *Moors* were come over, thought seasonably to suppress them by sending away † *Sanctius* with an Army. But such an Army it was, as from it one might ominously presage what would be the Issue of the quarrel. It consisted of the Refuse and Dregs of the People suddenly hudled together, having neither bodies nor minds fit for such a business, impatient of heat, dust and bad weather, not at all disciplin'd, wretched Souldiers, and fully as wretched Arms and Horses. This rascally Company coming to face the enemy, in all skirmishes came off still with the worst, and in a total ingagement was at length quite baffled and defeated, having lost their leader. The Barbarians elevated by the success, quickly wasted *Bætica* and *Lusitania*, taking many Towns, and amongst the rest *Hispalis* or *Sevil*, which by the wise foresight of King *Witiza* had been deprived of its Walls and Fortifications. Having done so great things, *Tariff* and *Julian* return into *Africk*, where they require of *Muza* a greater supply of men, that they might give battel, and in one fight decide the Controversie with *Roderick*. Leaving Count *Regula* as an Hostage, they obtain far greater supplies than they had got before, while *Roderick* in the mean time inflamed with the injury and disgrace, prepares warmly to receive them. He Summons in all able to bear Arms, under heavy penalties, the fear of which drew together more than an hundred thousand men, with which multitude meanly armed, and as ill provided of courage and skill, he marched into *Bætica*, and finding the Enemy at a place called *Cæsarianum*, he sate down on the Plain by the River *Lethes*.

* *Quam alii Carteiam alii Mellariam prius dictam contendunt. Vasæus.*
† *Alii Exercus, Enecco & Inachus.*

53. Seven days they spent in Skirmishes, whether to try the Manhood and Resolution of their Souldiers, e'er they would venture for the main chance, or because each side watched for some fit advantage. The *Goths*, though necessity put some vigour into them, being to fight for their lives and liberties, yet were again dejected by sad thoughts presaging the ruine and overthrow of their Kingdom. On the eighth day, which happened to be the Lord's day, the ninth of the *Arabian* month *Xavel*, the eleventh of *November* being the Feast of St. *Martin*, in the year of our Lord seven hundred and fourteen, they came to a total Engagement. The King seated in an Ivory Chariot, and cloathed with a Robe of Cloth of Gold, as the custome of the *Goths* was, before they came to join battel, made an Oration to his Souldiers, wherein he used arguments taken from Religion, and the ancient Valour of their Ancestours to make them valiant. *Tariff* was not wanting on the other side by those drawn from Necessity (the Enemy being before them, and the Sea at their backs) and the despicable condition of their oppofers to quicken the appetites of his men after wealth and honour. The *Goths* with Trumpets, the *Moors* with Brazen (or Kettle) Drums begin the fight, which lasts long, and continues dubious all the while. At last when he sees it convenient, *Oppa* revolts according to agreement, and carries all his men over to the Enemy, at which sight the *Goths* were so amazed,

A. D. 714.

Sect. 2.

And the overthrow of the Gothe with the ruine of the King and Kingdom.

that though they now seemed to have drawn fortune to their party, they cast away both their courage and weapons, and being slaughtered on all sides, ran away as fast as they could. The King having discharged the office both of an able Commander, and a valiant Souldier, when he saw all desperate, removed himself out of his Chariot, and mounting an Horse called *Orelia*, got out of the danger, as some say, though his Robe, Crown, and Shooes adorned with Gems being found by the River *Lethes*, others conclude more probably, that he was either drowned or killed in the battel, none knowing ever what became of him. Yet in a City of *Portugal*, called *Viseum*, was long after found a Stone with this Inscription: *Here lies* Roderick *the last King of the* Goths. *Cursed be the Impious fury of* Julian *because pertinacious, and his Indignation because extravagant. He was mad with fury, fierce with rage, forgot his Allegiance, was unmindfull of Religion, a Contemner of Divinity, Cruel against himself, a Murtherer of his Lord, an Enemy of his own Domesticks, a Destroyer of his own Country, Guilty in reference to all. Let his Memory wax bitter in every man's mouth, and may his Name rot for ever.*

Hic jacet Rodericus, ultimus Rex Gothorum, maledictus ac impius Julianî, gens perfidus, &c.

Vide Joh. Vatican. ad A.D. 714.

54. And well he deserved such a Curse, who to his own particular revenge could once have such a thought as to sacrifice the entire interest of his Countrey. By this one battel were such a multitude of *Goths* destroyed, that Authours are at a loss, and can give in no certain account of their Number. It's certain that this one battel stripped *Spain* of all its Ornaments; that here the Name of the *Goths* was extinct, their Glory in War, the Renown they had got in former Ages quite defaced, and more than this, all hope for the future quite cut off, and that Dominion of theirs subverted, which had now stood for above three hundred years together. Unspeakable are the miseries which befell the poor Provincials, more miserable than other Conquered People in this respect, that their new Masters were *Moors*, whose Souls, by reason of their *Mahometan* blasphemies, were as ugly and frightfull to them as were their Bodies. But the *Moors*, though with the loss of no fewer than sixteen thousand Men, are Conquerours, and now they are so prudent as to enforce the prosecution and improvement of their victory; such of the *Goths* as escaped from the Battel, betook themselves to *Astiga*, a City not far distant, strong in its Walls, and the number of its Inhabitants. The Citizens full of sorrow and desperation, in a confused manner issue forth with them, resolving to give the Infidels battel, and if possible (who could know but it might be so?) redeem the liberty of their whole Nation. But the success did not answer their zeal; they were defeated as before, and those that escaped, dispersed themselves into such places as they could most conveniently reach, not staying to see the destruction of their City, which followed its falling into the Enemies hand. Now by the advice of *Julian* were the Forces of the *Moors* divided into two Parties, whereof one was committed to the Conduct of *Magnedus* a Duke, a Renegado that had abjured the Christian Religion, and the other to *Tariff*, the Captain that first brought them over. *Magnedus* marched to *Corduba*, and easily took it, the Inhabitants being fled to *Toledo*, for a Shepherd conducted his men to a part of the Wall standing near the Bridge, which was not hard to be passed over in the silence of the night, when they had once killed the Sentinels. The Governour fortified himself in the Church of St. *George*, and held it out three months; after which flying away, he fell into the hands of the *Moors*, but his men fought it out to the last, refusing to yield.

55. *Tariff* in the mean time wastes all the rest of *Bætica* with Fire and Sword. *Menteſa* he took by storm, and levelled it with the ground. Into *Malaca*, *Eliberis* and *Granata* he put Garrisons. The Governour of *Murcia* (then called *Oreola*) was worsted by the *Moors*, but being a very expert Souldier, put all the Women in the Town into Man's Apparel, and placed them on the Walls in such Numbers, that the Enemy thinking him yet very strong, gave him very honourable Conditions. The *Jews* now being confused amongst the *Moors*, had *Corduba* and *Granata* assigned them to inhabit, the Christian Inhabitants being driven into other places. *Toledo*, a City placed in the middle of *Spain*, and by situation impregnable, the seat of the *Gothick* Kingdom was after a Siege of several months taken, but the manner is not agreed on. Some say it was betrayed by the *Jews*, others that it was yielded up on very good conditions, as that such as would continue there might live after their own Religion and Laws, and such as would not, might take what they had along with them. The rest of the Cities, few excepted, speedily underwent the like fate with these already mentioned, which done, the Conquerours placed Garrisons where they thought convenient, for bridling the Natives, fastning the new yoke to their Necks, which will they nill they, they must now endure. *Tariff* having

having done his work, brings his victorious Army, gluttted with bloud, and even satiated and burthened with wealth, back to *Toledo*, there to pause a little, and consider whether they were not in a dream all this while, for they could scarcely believe that condition to be substantial and real at which they had arrived. Thus was *Spain* in a manner subdued about a year after the Arrival of the *Moors*, and at the same time we find that *Narbon* in the *Gothick Gall* was reduced also by that People. Sect. 3.

SECT. III.

The Dominion of the Saracens, Arabians *or* Moors *in* Spain, *Contemporary with the* Constantinopolitan Roman *Empire.*

From the Conquest of Spain *by* Tariff *the Captain of* Ulit Miramamolin, *to the Reign of* Abdeirakman *the Second.*

The space of One hundred and seven Years.

Spain in confusion.

1. THE Conquest of *Spain* was so sudden and surprizing, that those whom the Arms of the victorious *Saracens* had not as yet reached, were as men out of their wits, and so befotted with fear, that they knew not how to consult for the good of their Countrey being dispersed abroad, and no one body uniting so as to make any considerable opposition. Particular Towns concerned onely for their own safety, chose them Governours, for quicker dispatch and more effectual execution committing all things concerning both Peace and War into their hands. These Governours being thus absolute within themselves, and acknowledging no Superiour abroad, are upon this account termed Kings by some Historians.

Muza with a strong Army enters *Spain*.

2. The News of the Conquest flying over into *Africk* was very welcome, but yet not received with such joy by the Governour as the greatness of the Enterprize, and the consequence of the thing might seem to have required. *Muza* was glad that so Noble a Province was subdued, especially with so little charge and trouble, and that the Empire of the *Moors* was now propagated into *Europe*, an happiness they had had much more cause to wish, than to expect or hope for. He lik'd well of the thing, but disliked the man. It vexed him above measure that *Tariff* should be the instrument, that he himself should not have had the fortune to carry away the honour and profit of such an undertaking. Disturbed by the Passions of Covetousness, Ambition and Envy, he passes over into *Spain* with a fresh Army of *Moors*, consisting, say some, of twelve thousand. Being arrived, he consulted how to carry on the War. Some were for joining with *Tariff*, and finishing with his victorious Forces the remainder, but the fugitive Christians closed with *Muza*, and persuaded him with his own strength to set upon Count *Julian* now it seems being little in favour with *Tariff*, the reward at last of all Traitours and Betraiers of their Countrey being to be scorned and vilified as execrable Creatures by such as set them first on work. On *Adonia* he first made trial of his men, who took it by storm after great loss and labour. From thence they removed to *Carmona*, once the strongest Town of all *Bætica*, where toiling a long time to no purpose, *Julian* the Count, who was already too much engaged not to proceed, counterfeited himself a Fugitive; and being received into the Town, upon that account betrayed it to the Barbarian. This is the account that *Roderick* the Archbishop gives of this Siege. *Rasis* the *Arabian* will have these things to have happened after that *Muza* and *Tariff* met together at *Toledo*; and whereas the other writes that *Julian* did his business by counterfeiting a flight of his Souldiers, he saith it was done by men in the shew and habits of Merchants.

Takes *Adonia*.

And *Carmona*.

3. *Hispalis*

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3. *Hiſpalis* or *Sevil*, though the poor diſtreſſed *Goths* had betaken themſelves thither for ſhelter, yet upon the approach of the Army was deſerted by its Citizens, and ſo eaſily became a prey to the Infidels, the *Jews* being admitted to live in equal right with the *Mahometans*. The ſame was the Fate of *Pax Julia*, ſeated in the Confines of *Luſitania*, to which the diſtreſſed Inhabitants of *Hiſpalis* had fled, but whether it was taken by force, or delivered up upon Articles we know not, onely this is certain, that after the reduction of it, a great multitude of *Chriſtians* there long continued. The next Town they fell upon was *Emerita* a *Roman* Colony, and carrying as venerable an aſpect as any other of *Luſitania*, however batter'd and defac'd by the fury of the late Wars. Many of the Townſmen fell with *Roderick* in the fatal Battel; and yet had the reſt that Courage and Reſolution as now to go out to meet *Muza*, and encounter him, which having done with ſuch Succeſs as might juſtly be exſpected, they retired into their City. *Muza* viewing the place was much taken with its Situation, and perceived at length, that a ſtony Quarry which was by the Walls, would give convenient ſhelter to an Ambuſh, which there accordingly he placed, and with ſuch Succeſs, that the Citizens making a Sally were many of them cut in pieces, and the reſt caſting themſelves into the form of a Wedge, hardly eſcaped within the Fortifications. *Muza* not being able to compaſs the Town by this Strategeme applied his mind to all Courſes, by which it could be forced, ſparing no Labour nor coſt, for getting of battering Rams, and all ſorts of Engines uſefull upon ſuch occaſions. The Defendants by their indefatigable pains and induſtry elude their deſigns, being preſent at all places, and watching with all diligence to obviate the Strategems and Practices of the Enemy.

Subdues *Hiſpalis* or *Sevil*. And *Pax Julia*.

Lays ſiege to *Emerita*.

4. But they were men, and being as lyable as others to the Inconveniences which attend ſuch hard Services, they were reduced to ſuch a ſmall number, that they thought themſelves upon good terms obliged to yield. But the terms they demanded were ſuch as *Muza* would not give, who being now extreme old, the Deputies upon their return into the Town, affirmed, that all their hope was placed in the decrepit Age of the General, who could not in probability live many days longer. *Muza* hearing this, dies his Beard and Hair of another colour, whereat the Deputies at their return were aſtoniſhed, as being no leſs than a Miracle, and perſuaded their fellow Citizens to give place to him, who gave Laws to Nature it ſelf. They covenanted therefore, that of ſuch of their fellows as had been ſlain in Battel, or died during the Siege, the Eſtates ſhould be in the power of the Conquerour. That his ſhould be the Revenues of the Churches, and the ſacred Utenſils of Gold or Silver. That ſuch as would ſtay might keep what was theirs, and thoſe that would go away might have leave to go whither beſt pleaſed themſelves. About this ſame time it happened, that the Inhabitants of *Pax Julia*, and *Ilipula* being in a deſperate Condition, reſolved upon as deſperate a Courſe, for perceiving *Hiſpalis* to be but meanly provided of men, they ſet upon the Town, and forcing out the Mooriſh Garriſon, or killing thoſe that reſiſted, quite maſtered the place. But their Conqueſt was not of long continuance. *Abdalaſis* the Son of *Muza* was come into *Spain*; and blaming his Father for ſo ſlow a proſecution of the War, procured leave, and a ſufficient power of men to try his Fortune. Into the Borders of *Valentia* firſt he peirced, and fighting proſperouſly againſt the People, had *Valentia* it ſelf, *Dianium*, *Alicantium*, *Orilinela* and *Oſſa* delivered up unto him on theſe Conditions, that he ſhould abſtain from offering any injury to Churches, that Liberty of Conſcience ſhould be allowed all Chriſtians, and that each man ſhould enjoy his own, paying to the Conquerour a moderate Tribute. By this ſucceſs he was incouraged to go againſt *Hiſpalis*, which he reduced, putting all thoſe to the Sword that had been Authours of the revolt; and thence paſſed he to *Ilipula*, where he ſlew a great number of men, and for a Terrour to others, as it ſeems, levelled the City with the ground, for from a great and powerfull City, it's now become a little Village by the Name of *Pennoſſoris*, betwixt *Cordova* and *Sevil*. *Raſis* the *Arabian* wrote, that the Garriſon at *Emerita* was cut in pieces, and that the Inhabitants of *Hiſpalis* conſpired with thoſe of *Pax Julia* and *Ilipula*.

Abdalaſis the Son of *Muza* ſubdues *Valentia* and the places adjoyning.

The Garriſon of *Emerita* cut in pieces.

5. From *Emerita* the great General *Muza*, marched to *Toledo*, and *Tariff* went to meet him as far as beyond *Ebora*, in the Countrey of the *Carpentani*. At the River *Tietares* they met with great ſhew of Contentment on both ſides, though with minds as malitious and averſe as can be imagined; *Muza* was even mad with Envy, and *Tariff* exceſſive Melancholy with fear of looſing his preſent Intereſt. *Muza*

Thence they march to *Toledo*.

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Muza laid heavily to his Charge that he had not obeyed his Rules and Orders in managing the War, wherein though hitherto he had proſpered, it was not to be aſcribed to his Skill or Dexterity in Military matters, but to the mere fawning and temerity of Fortune: when they came to *Toledo*, the covetous old man compelled him to give a ſtrict Account, both of what he had ſpent in the War, and what the Booty thereof amounted to, which he bore with Patience, and by all means endeavoured to pleaſe and gain his good opinion. However they differed betwixt themſelves, they agreed with joynt to Forces march againſt *Cæſar Auguſta*, which without much difficulty they took. They had the ſame Fortune in their attempts upon other Towns of *Celtiberia* and the *Carpentani*, moſt of which they brought under Subjection, without one bloudy Noſe. And ſo now all *Spain* ſeemed to be Conquered, three years not yet having paſſed from the firſt coming over of the *Moors*, a thing to be compared with a Miracle, and merely to be reſolved into extraordinary Providence. For the inner parts of the Countrey they could not without great difficulty come at; and it is notoriouſly known that thick Woods, high and inacceſſible Mountains and Cliffs, Fence and protect the moſt parts of *Spain*. *Ulit* the *Miramamolin* was reviſhed at the report of the Succeſs which he had much ſuſpected, by reaſon of the Diſcord of the Captains. Now he ſent for them both over, and *Muza* having made his Son *Abdalaſis* Governour in his ſtead, over they went laden with that Wealth which the Nation of the *Goths*, had been ſo long a time in gathering.

Afterwards to *Cæſar Auguſta* reducing all *Spain*.

Muza and *Tariff* return to *Ulit* the *Miramamolin*.

Aliis Abdulazis R. hafi Abelaaziz.

6. *Abdalaſis* prudently diſcharged the Employment, wherewith his Father had intruſted him. Out of *Africk* now flocked multitudes of their own accord, beſides many that were ſent for by the Conquerours, to plant thoſe places which the War had rendred deſtitute of Inhabitants. To them he aſſigned Grounds and Towns, according as their Qualities and Families required; and made choice of *Sevil* for the Seat of the Mooriſh Empire in *Spain*, for the Conveniency of its ſituation, and the ſtrength of the Caſtle. Living now at eaſe, and being in the flower of his Age he began to caſt an Eye upon *Egilona* the Widow of *Roderick*, a Lady of extraordinary beauty, and ſhe perceiving his Paſſion made uſe of it, not to the gratifying of his Appetite, but to the advantage of her ſelf and her Friends, and of her Religion. But he might well now live at his eaſe, all *Spain* being at his Devotion; onely *Cantabria* and that part of the *Pyrenæans*, which bordered upon the *Vaſcons* and *Arragon*, with the greateſt part of *Gallicia* the Chriſtians held, and there had a ſhew of Government, rather for that the *Moors* neglected them, becauſe of the Barrenneſs and Ruggedneſs of the places, than that the *Goths* had any Courage or Power to defend them. The Barbarians, as we before hinted, when two years were not fully paſt from their firſt Invaſion of *Spain*, not content with the Conqueſt and Dominion of that Countrey, in great multitudes flocked over into *Gall*, with reſolution to unite thoſe parts which hitherto had obeyed the *Goths*, with the other Territories they had taken from them, and with hope from thence to paſs into the other Provinces, which at preſent called the *Franks* their Maſters. They had the ſame reaſon to expect Succeſs there, as they had lately in *Spain*; for there the Government, if not the Governours were quite out of Order. The Kings minded no buſineſs at all, being given wholly up to ſloth and Pleaſures. The Majors of the Palace did all that was done, and ſeemed now to have caſt in their Heads, how to compaſs the Title as well as they had already the Power.

Abdalaſis Governour.

Reſides at *Sevil*.

Proceeds farther to invade *Gall*.

7. What ſucceſs they had againſt the *Franks*, we ſhew in the Hiſtory of that Nation; at preſent it's proper for us to obſerve, that their being employed in that *Gallick* War, gave occaſion to thoſe *Goths* that were left alive, and had betaken themſelves to the Mountainous Countries to think of the Redemption of their Liberty. We may eaſily imagine how Irkſome was to them their preſent ſtate, with what trouble they called to mind their late Injoyments, and compared them with their preſent Conveniences. Eaſe and ſecurity made them looſe their Countrey; now a Senſe of miſery, and of the lubricity of humane Affairs, put them into ſuch a true eſtimate of things, that by preſent Care and Activity they ſeemed to burn with Deſire of taking revenge upon themſelves; all ſeemed inſpired with new thoughts and Capacities for ſome great Atchievements, they onely wanted a Captain to incourage and lead them on. The War had conſumed in a manner all that were eminent, both for Valour and Conduct; onely *Pelagius* the Son of *Favila*, of whom we have formerly ſpoken, remained, a Perſon of Royal Extract, and of ſuch Magnanimity and Courage, that he was not at all dejected with his adverſe Fortune. It luckily happened at this time, that out of *Cantabria*, whither he had retired upon the late Revolution, he came in *Aſturia*, it's

The *Goths* reflect on their Condition.

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8. *Pelagius* had a Sister more than ordinarily handsome, and of such Deportment as was very Charming; with her *Numusa* (or *Numatius*) a Christian by profession, but Confederate with the *Moors*, and for that reason made by them Governour of the Countrey about *Gegio*, fell in Love, but in respect of the meanness of his Birth and his Humour, which was displeasing to *Pelagius*, he was in no hope of obtaining her for his Wife as he desired. He takes therefore occasion to send her Brother out of the way on a message to *Tariff*, or some say *Muza*, who was not yet returned into *Africk*. He being gone, he married and enjoyed her, which gave not so great content to him, but it as much tormented *Pelagius*, who yet resolved to play the part of a Wise man, and conceal his Indignation, till he could find some opportunity effectually to shew it. At length he conveys away his Sister on a sudden, and carries her to the Borders of the *Astures*, where he knew the People to be of a most propense Inclination to him and his Family. *Numusa* presently took the Alarm, and being the more concerned, because of the loss of his Wife, gives speedy notice of it to *Tariff*, who dispatches away some Souldiers from *Corduba*, to suppress the Designs and indeavours of *Pelagius*, before they should come to any Maturity. And very near they were to suppressing them, by surprizing his Person altogether as yet unprovided, so great expedition they made. He had onely so much timely notice as to make his Escape, but they followed him so close, that he was glad to take the River *Pionia*, over which his Horse having carried him safe to Land, the Pursuers thought him not so great a prize, as to purchase with so manifest a danger of their Lives, and so he got safe to the Valley of *Canica*, which at this day bears the Name of *Cangas*. Here he found in little time a great number which gave their Names for the recovery of their Liberty, of which they despaired not by the means of such a General. He advised them that they would Act strenuously and betimes, e'er the Dominion of the *Saracens* should by continuance be confirmed, it being as yet tottering by reason of the newness of it. For their Comfort the Garrisons they had put into the Cities were but very slender, all the lately conquered People, where e'er they should come were their Friends; and the Forces of the Enemy were dispersed, most of them being gone over the Mountains into *Gall*. He put them in mind of the Valour and Glory of their Ancestours, and that Death it self was by much to be preferred before the Calamities, which they and theirs now underwent.

Under the Conduct of *Pelagius* they unite in Order to the recovery of their former State.

9. Though their apprehensions of danger were great, his words did much erect their minds, and he prevailed with them to enter into a Military oath, to undertake and prosecute the War against the *Moors*. By the universal Consent and Suffrages, both of Nobility and People, he was chosen Captain General, and King of *Spain*, in the seven hundred and sixteenth year of our Lord, to which some add two years more or thereabout; so great a matter it is to take hold of opportunity, and not to be wanting to ones self. When all things seemed now to be desperate and beyond humane possibility, to repair the desolate Estate of the late Conquered *Goths*, the Foundation of a lasting Kingdom is laid, by which the *Moors* are in time though long before, again outed of their Possession. *Pelagius* knowing that from the first beginnings and Attempts, men ordinarily take their Grounds for fear or hope, spared no pains to preserve the Majesty of that Title, which he had received. He made many Inroads into the Countrey of the *Moors*, plundering and killing them, as he could conveniently. On the contrary he fortified all the Towns belonging to his new Dominions, relieved such as were in distress, and every way to his power provided for the Ease and Convenience of all his Subjects, sparing no pains; for he had a Body fitted for Labour, his Countenance being martial, rather than beautifull, and all his Limbs every way proportionable. By this time the News of his Motions had arrived at the Ears of *Alchama* a notable Captain of the *Moors*, who came over at first with *Tariff*, and during the War gave many proofs of his Courage and Dexterity in Martial matters. He hastes to suppress him, e'er he should complete his numbers, with a very good Army, consisting of both *Moors* and *Christians*; *Oppas* the Bishop of *Toledo* coming along with him, who all the

And chuse *Pelagius* for King.

Who is encountred by *Alchama* a Captain of the *Moors*.

the way indeavoured by fair words to preserve the Provincials in their Duty and Allegiance toward the Infidels. Sect. 3.

10. The noise of *Alchama* his coming grievously disordered *Pelagius* his Army, the *Goths* having again lost that Chearfulness and Alacrity, which their own Meditations, and the words of their King seemed lately to have wrought in them, and behaving themselves no otherwise than Slaves, afraid to look their Lords and Masters in the Face. He perceiving their Temper, thought it not fit to expose such a Company of men naked in Body, and as unprovided of Courage to certain Ruine, by a formal Ingagement, but chose out a thousand stout Souldiers from amongst them, wherewith he possessed himself of a spacious Cave in the Mountain *Ausena* (at this day called the Cave of St. *Mary* of *Conadonga*) which he furnished with all things necessary for a Siege, in Case he should be discovered, intending thence to make Sallies, and doe what mischief he could by sudden and unexpected Assaults. But he was quickly discovered and pursued to the place of his Retirement, where *Oppas* was first ordered to set upon him with an Oration, for they thought it better to reduce them by fair words, than ingage a desperate sort of People in the Straits.

And forced to a retiring place.

Where *Oppas* Bishop of *Toledo* sets upon him with an Oration.

"He fought to persuade him to yield, by reasons drawn from the present potent "Fate of the *Goths*, which however it had formerly raised them to a great height, "was now ingaged to tumble them down as low; and if when all was well with "them, and the whole strength of the Kingdom was entire, they could not then make "good their Party, how should he think to doe it at such a miserable Ebb of For-"tune. He spake Contemptibly of their number, and affirmed the Enemy to be "sixty thousand strong. Told him, that Almighty God for the sins of their Na-"tion blinded their minds, not yet satisfied with the Effusion of Bloud, which "the late past Actions, and now this rash adventure of theirs sufficiently declared. "And he ended with an Exhortation to quit this their stubborn resolution, and "prefer Death to Life, or Slavery before Liberty, and the confluence of Honours, "Riches, and all other good things, which in the Name of his new Masters he "promised them, if so be they would lay down their Arms, quit these Mountainous places of refuge, and submit to the Conquerours, which doing, they "should therein follow the Judgment, Example and Desire of all *Spain*.

11. "*Palagius* anfwered him as he deserved, that the displeasure and Vengeance "of the Almighty was to be feared by him, his Brother *Witiza*, and his Children, "although at present their matters seemed to prosper according to their Wishes. "That by their wickedness the Divine Majesty was provoked, all things sacred "through the whole Province contaminated, and the Laws Sacrosanct for their "Antiquity broken and rescinded. That from these beginnings of Vilany, they "came at last to that fury and unheard-of Madness, as to draw the *Moors* a fierce "and cruel Nation into *Spain*, whence their Nation had received so many overthrows "and such Effusion of Christian Bloud had followed; for which Vilanies if Almighty "God take care of humane Affairs, you must be grievously punished, both alive "and dead, especially thou thy self, who forgetting the place thou beareft, hast "been the most principal Authour of all these mischiefs, and now by an impudent "Speech, darest advise us to receive the Yoke upon our Shoulders more grievous "than any Calamity, *viz.* to undergo again those Calamities and Hardships, of "which we have had so late experience. These are the wonderfull rewards, these "the Honours to which even now thou invited'st our Souldiers. Know, *Oppas*, we "neither think, that Almighty God hath turned his Ear from, nor is his mind "averse, to us, so as to trust to thy Promises; but we hope he will turn the sharp-"ness of Punishment into Mercy, as he is continually wont. But in Case we are "not yet sufficiently punished, and he will not deliver us, who pray unto him "and are destitute of defence, we are resolved to change these Calamities for "Death, and a most grievous slavery (so we hope) for endless Felicity.

Palagius his Answer.

12. When fair words cannot persuade them to yield, rough Deeds and Blows must beat them out of the Hole, wherein so much, though with so little cause, they now confided. Such were the thoughts and resolution of *Alchama*, who Commanded all sorts of Batteries to be made against the mouth of the Cave, but God Almighty whom *Oppas* had injured, by making his Providence as it were serve his ends of Revenge and Malice, so wrought, it's said, for the besieged, that the Stones and Darts shot against them, recoiled upon the heads of the Shooters, and being first preserved in a miraculous manner, in as miraculous a way, they afterward quite defeated their Enemies, of whom very few escaped alive, twenty thousand being killed in the fight and pursuit, and the rest drowned in the River *Dena*, into which

Alchama and his Forces destroyed.

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part of the Mountain *Ausena* fell, on which they ſtood. *Alchama* was ſlain in the Battel, and *Oppas* was taken Priſoner, and put to ſuch a Death, doubtleſs, as he had deſerved, for henceforth we hear nothing of him. *Numuſa* confounded at the report of ſo unexpected a defeat fled from *Gegio*, the Inhabitants he knew to bear him no Good Will, and coming to a Village called *Olalie*, was there knocked on the Head by the People. About the ſame time, *Muza* in way of Retaliation was accuſed to the *Miramamolin*, and being conſtrained to give an Account of all the Money ſpent and received in the *Spaniſh* War, was made to pay back great Sums he had hoarded up, and died of Grief. *Abdalaſis* his Son having governed *Spain* three years, incurred the heavy diſpleaſure of his Countreymen, for the many Rapes he had committed upon the Wives and Daughters of the Nobility, and was ſlain in the entry of one of their *Moſques*, it's thought by the means and procurement of *Egilona* his Wife inraged at his new Loves ſo far as to perſuade him to take the Enſigns of Royalty, and puſh him on to thoſe Courſes, ſhe certainly knew would procure his Ruine. But the Authour of the murther was *Arub* his Kinſman, who governed *Spain*, for one Month, and, as *Roderick* the Archbiſhop writes, built *Calatainba*, a Town of good note in *Celtiberia*.

Numuſa knocked on the head.

Muza dyes with Grief.

Abdalaſis murthered.

13. Not long before this died *Ulit* the *Miramamolin*, or chief Prince of the *Saracens*, and was ſucceeded by *Zuleiman* his Brother, who ſent one *Alahor* into *Spain* to ſucceed *Abdalaſis*. This *Alahor* was a man exceeding cruel, both to *Moors* and *Chriſtians*. The Citizens of *Corduba* he outed of almoſt all their Eſtates, and made Inquiſition after ſuch as he ſaid had defiled themſelves with the ſpoils of a Conquered Nation. From *Sevil* he tranſlated the Royal ſeat of the *Moors* to *Corduba*. The Sons of *Julian* and *Witiza* he ſuſpected (or pretended ſo) of having betrayed the Army at the late defeat received in *Aſturia*, and having firſt ſpoiled them of their Eſtates, when they had nothing left them to live on, put them to death, and ſo completed the revenge of that execrable Treaſon of betraying *Spain* into the hands of theſe wicked Infidels. For *Julian* had received his reward before this time, as is moſt probable, becauſe he is now no where mentioned, although the manner of his death is not certainly known. But a report hath gone without any conſiderable Authour, that his Wife was by the Barbarians ſtoned to death, that his Son was caſt headlong from a Tower near to *Oſca*, on the Coaſt of *Africk*, and that he himſelf was committed to perpetual Priſon, in a Tower of *Loarres* near to the ſame place by Command of the *Moors*, where without the Church of the Caſtle is ſhewn his Tomb made of ſtone. *Roderick* the Archbiſhop, and *Lucas Tudenſis* write that he was ſlain, and all his Wealth confiſcated. And indeed when men conſider of ſo great and dreadfull Vilanies as he committed (and he committed ſuch in betraying *Spain*, as the Conſequence thereof cannot for the weight of it be conſider'd ſufficiently) they are apt to conclude, without this reflexion, that God's Judgments and ways are Inſcrutable, nay they are unwilling to think, that the Authours came to any peaceable or timely ends.

Ulit dies, *Zuleiman* ſucceeds as *Miramamolin*.

Alii Ulit adeo ſuperſtite miſſas dicunt.

The Seat Royal removed from *Sevil* to *Corduba* by *Alahor* the Governour of *Spain*.

The Death and Deſtruction of *Julian* and his Family.

Hæc quidam Mozaquoque aſſeribunt.

Pelagius grows ſtrong in *Aſturia*, and other places in *Spain*.

14. But to return, and viſit *Pelagius*; we find his Intereſt exceedingly ſtrengthened by the late defeat given to the *Moors*. For his Authority and Government was not onely confirmed in *Aſturia*, but multitudes now flocking in to him, who before ſtood aloof off, expecting the event, with conſiderable Forces he deſcended into the Plain, where he plundred and burnt all Towns belonging to the *Moors*, the Perſons of whom he never ſpared as they came in his way, and took by Force the City *Legio* (afterward *Leon*) ſtanding at the bottom of thoſe Mountains, which part *Gallicia* from the *Aſtures*. Some are of opinion, that at this time he took the Title of King of *Leon*. But others deny it with greater reaſon and Teſtimony of Antiquity, which confirms this truth to us, that *Pelagius* and his Succeſſours were Kings of *Onetum* onely. The Sepulchres of the Kings yet extant at *Onetum*, and other places in *Aſturia* before the time of *Hordonius* the Second, who firſt called himſelf King of *Leon* favour this Aſſertion. That opinion is more worthy of Credit, which will have *Pelagius* now after the taking of *Legio* or *Leon*, to have changed the former Badges or Arms of the *Gothick* Kings, *For a Lyon Rampant Gules in a Field argent* (as we foreſooth muſt blazon, becauſe our Maſters the *French* doe ſo) which ſtill continues to be the Coat Armour of that Kingdom, and foraſmuch as the City, and that Ammal are both in the *Spaniſh* Tongue expreſſed by one Name of *Leon*, the underſtanding of Arms but Ignorance in matters of Antiquity, have given occaſion to groſs miſtakes. Within a while after the Conqueſt *Legio*, beſides *Aſturia*, *Manſilia*, *Tineus* and other Towns in *Gallicia* and *Aſturia*, were taken from the *Moors*; *Pelagius* made himſelf Maſter alſo of *Gegio* a City very ſtrong both

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both by Art and Nature. Thence ſome ſuſpect that he and his Succeſſours might be called Kings of *Gegio*, and ſo might come the miſtake of *Legio*, it being very eaſie to fall into ſuch an errour in ignorant times; the Alteration being but of one letter.

Zuleiman dying *Homar* and *Izit* ſucceed.

15. Much about this time died *Zuleiman* the *Miramamolin* of the *Saracens*, having adopted two his Nephews by his Brother *Ulit*, *viz.* *Homar* and *Izit*. Theſe two were to enjoy the vaſt Empire of theſe *Arabians* in *Aſia*, *Africk* and *Spain* by equal Right, a thing new and of dangerous Conſequence: But it happened well for them, that all danger of Envy and Emulation was prevented by the death of *Homar*, who within a ſhort time followed his Uncle. *Izit* being Monarch, ſent one to govern *Spain*, who has as many Names almoſt as *Spain* had Provinces. Some call him *Adham* the Son of *Melic*, and others *Abrahem* and *Azam*, and the Chronicle of King *Alphonſus* mentions him by the Name of *Zama* or *Zamam*. This *Moor* whatſoever was his Name, was a man of great underſtanding in all things, relating to Peace and War, and being as covetous as any of the reſt, laid greater burthens than ever upon the conquered Cities; nay, if *Raſes* his own Countreyman told true, from the *Moors* themſelves he exacted the fifth part of all their Goods, under pretence of relieving the poor, but indeed that he might bring them ſo low, that they might not be able to riſe, or doe any thing effectual againſt him. Being furniſhed with Treaſure, he paſſed the *Pyrenæan* Hills, and having re-inforced *Narbon* with a ſtrong Garriſon, laid Siege to *Toloufe* to his Ruine as it proved. For *Eudo* the Duke of *Aquitain* coming upon him, raiſed the Siege, and killed him with moſt of his men after he had governed about two years. Thoſe that ſurvived made choice of one *Abderralman* to command them, till ſuch time as a new Governour ſhould be ordered them out of *Africk*, which was done as ſoon as the News of the defeat and Death of the former arrived. Now this new Officer ſome call *Aza* and *Adha*, and the Chronicle of King *Alphonſus* makes *Zama* the ſame with him; ſo that ſome account theſe men the ſame, although one died at *Dertoſa*, and other was ſlain in Battel, as it's ſaid, and ſome make them ſeveral, though both they write were ſent by *Izit* the *Miramamolin*. There is ſo great Confuſion of Names in Authours, relating theſe Mooriſh matters, that as *John Vaſæus* a very diligent and judicious Writer obſerves, very difficultly can any thing certain be diſcovered. One grand reaſon he thinks is, that at the ſame time there were many Mooriſh Governours in *Spain*, over which yet one had the Command and over-ſight, who had his Seat at *Corduba*, as far as can be gathered from ancient Monuments.

Homar dyes, *Izit* ſole Monarch ſends *Adham* to govern *Spain*.

Who is ſlain at *Toloufe*.

Abderrahman choſen in his place.

Alii Izid.

16. What we have written concerning him that was killed at the Siege of *Toloufe*, is reported of this new Governour, whom they will have by a Conſpiracy of his own men killed at *Dertoſa*. He oppreſſed with new and unheard-of Taxes, both *Moors* and *Chriſtians*. Cauſed a Bridge to be made at *Corduba*, and having made War upon that part of *Spain*, lying near the Mountain *Caunus*, took by force and raced *Turiaſo*, and was afterward killed after he had ruled *Spain* two years and ſix months. He left for his Succeſſours, as *Roderick* the Archbiſhop tells us, *Ambuza*, *Odra* and *Jahea*, ſo that ſome think *Spain* was now divided into three parts, or elſe they muſt have governed but few months a-piece, but here is ſuch multiplicity and Confuſion of Names, as was ſaid, that nothing certain can be pitcht on. It's more certain, that about this time, *Izit* the *Miramamolin* dying left *Iſcam* his Brother his Succeſſour, on that Condition he ſhould adopt *Abulit* his Son for his Heir, which he performed. When *Iſcam* came to be Sovereign, he made *Odayfa*, *Himen*, *Autuma*, *Alhaytan* and *Mahomad* his Deputies in *Spain*, the ſeveral Governments of whom if they ſucceeded one another, muſt have been but of ſmall continuance. For in the ſeven hundred and thirty firſt year of our Lord *Abderrahman* was Governour, perhaps the ſame we not long ſince mentioned. This man was an excellent Souldier, but fierce of Nature, and cruel, ſevere in his place, [illegible]ll to his own Nation, at this time exceeding vitious, as to the poor diſtreſſed *Chriſtians*. This ſeverity, or rather Tyrannical Carriage, procured him many Enemies of both ſorts, and amongſt the reſt, one *Muries* a Commander of the *Moors*, of great Intereſt and Courage, found himſelf ſo far concerned as to riſe againſt him, drawing into his Aſſiſtence the *Gothick Gall*, which truſted to the diſtance of place, the *Corretani* in *Spain*, and *Eudo* the Duke of *Aquitain*.

Izit dying, *Iſcam* his Brother ſucceeds.

A. D. 723. Imperii Arabum, 107.

Abliramam Galli Scriptores appellant.

17. This *Eudo* ſeems to have been a man of great Wiſedom and Courage, as any of his time, onely one thing he is blamed for, not as he was a man, but a *Chriſtian*. To ſtrengthen his intereſt, he married his Daughter to this *Muries* a *Mahometan*, but the device proſpered as it had deſerved. For *Abderrahman* having notice of *Muries*

Sect. 3. his purpose, and how the *Gothick Gall* stood affected, hasted with a competent force to the Borders of *Spain*, and shut up his Enemy in the City *Ceretania*, whence not able to escape, nor deliver himself by strong hand, he ended his own Life himself, that it might not be at the Mercy of the Conquerour, which done, the Town yielded, and his head was sent into *Africk* to the Emperour of the *Moors*, together with his beautifull Wife now in the flower of her Age, an acceptable present to the *Miramamolin*. *Alderrahman* elevated with his Success invaded *Gall*, and proceeded by the *Mediterranean* Sea, as far as the River *Rhosne*, and laid Siege to *Arles* the principal City of those parts. *Eudo* with as great a force as he could compass, came to raise the Siege, but was defeated with so great loss as seldom we have read of, manifested by those great heaps of bones which long time were seen before that City. Then turning toward the left, he carried his Victorious Arms through a great part of *Gall*, and came into *Aquitain* to be revenged upon, or to brave *Eudo* his great Enemy at his own Doors.

Gall and *Aquitain* invaded by the Governour of *Spain*.

Vide Marianam de Reb. Hisp. lib. 7. c. 3.

18. Passing the *Garonne*, he came before *Burdigala* or *Bourdeaux*, which having taken, he used with no more Mercy than Angry Conquerours are wont to doe: Not far off he was again encountred by *Eudo*, as well upon the common Account of Christianity as his private Quarrel, but with the same Success as formerly. Then were over-run these several People the *Engolismenses*, *Petragorii*, *Sanctones* and *Pictones*, and all Christendom it self lay at the stake; for who could be imagined to be of sufficient power to oppose and repulse those who had subdued no less than *Asia*, and *Africk*, and the Empire of the once formidable *Goths*? Many Nations trembled afar off, and some seemed already conquered by the mere fame of their Actions. But there was one *Charles* Sirnamed *Martell* in *France*, the Master of the Palace, a subject in Name, but Sovereign in effect, him God Almighty reserved as a Scourge for these Victorious Infidels. Moved by the common danger, but solicitous for his own House, which being next Neighbour was now almost on fire, he resolved to extinguish this dreadfull flame, for which purpose he gathered an Army as strong as he could, out of *France*, *Germany* and *Austrasia*, many of their own accord, giving in their Names to obviate that mischief, by which else they were sure to perish. With these he marched to *Tours*, where he passed the River *Loire*, that having it on his back he might not be incompassed by the numerous forces of the Enemy.

Carrying all before him.

Is at length encountred by *Charles* King of the *Franks*.

19. The Infidels excelled in numbers, the *Christians* in their cause and Military Skill. *Eudo* now like a good *Christian* forgot the Injuries he said he had received from *Charles*, and preferring the publick Good before his private Respects joyned with him, and gave him great Assistence in the Battel, though as to the thing that moved him to doe it Authours differ. The *French* Writers tell us, that by the Invitation of *Eudo* himself, the *Moors* came into *Gall*, and that when the Infidels had invaded his Dukedom, and so perfidiously broken the League they had made with him, out of revenge he changed his mind. Herein the ancient Historians of *Spain* are silent, but the later take *Eudo*'s part, though they will certainly affirm nothing, charitably believing that though his Principality was in *Cantabria*, and he held but *Aquitain* in way of Dower, yet because he had lately fought no less than two Bloudy Battels against the *Moors* (to which we shall add that he was ingaged with *Muries* his Son-in-Law against *Alderrahman*) he did not invite them into *Gall*, nor changed his mind upon account of the Breach of any League he made with them. However it was, his coming was seasonable. The *Moors* were no fewer than four hundred thousand, many having brought with them their whole Families allured by the report of the Pleasantness and Fertility of *Gall*, there to inhabit. The Armies being joyned, the Victory for a long time remained doubtfull, but at length the multitudes of *Mahometans* gave way to the Valour of the *Christians*, who got the day.

Who defeats the *Mahometans*.

20. Of the Infidels were slain no fewer than three hundred and seventy five thousand, and *Alderrahman* amongst the rest, which added to the joy conceived for the victory. And well might the joy be great, considering the effects and fruits of it; no less than the preservation of the Christian Name and Interest, and an evident proof that this People of the *Moors*, how terrible soever they had hitherto been, might be overcome. The number of the slain on the Christian side amounted to a thousand and five hundred, a loss greater, in respect that those that were slain were of the best Families, and most valiant Persons, in respect of the quality, rather than the quantity of the men. Amongst those that did worthily, none surpassed *Eudo*, by confession of *Charles Martell* himself, and by his coming in and falling upon the Rere in the heat of the Fight the victory principally was obtained. But such was the success of the Christians against the *Mahometans*, in the seven hundred and thirty fourth year of our Lord, and the one and twentieth after the loss of *Spain*. Into the Office of *Alderrahman* was preferred one *Abdelmelic* who governed *Spain* four years, and was famous for nothing but the vertues proper to those of his place, *viz.* Cruelty and Covetousness; and herein he had the advantage of the rest, that whereas his Predecessours had pilled and rifled a State that was already down, and at the lowest ebb of fortune, he by his Rapines checked it now when it was about to revive and make some progress towards its former flourishing condition. He was commanded to make some attempt upon *Gall*, which as he was about to doe, he lost many men at the Straits of the *Pyrenæan* Hills, and remembring the fate of his Predecessour, fairly retreated.

Killing their Leader amongst the rest.

Sect. 3. *A. D. 734.*

Abdelmelic Governour of *Spain*.

21. About the same time (some say the seven hundred thirty fifth, others the thirty seventh of our Lord) died *Pelagius* the new titular King of *Spain* at *Canica*, and was buried at a Monastery near at hand of his own building; where his Wife *Gandiosa*, by name also was interred. His Son *Favila* succeeded him without any opposition, for his Father's sake, not his own merits. He reigned but two years, and during those most unlike his Father. He preferred his own pleasure before the Publick profit, spending his time in a mock war against wild Beasts when he should have been exercised in a serious hostility against the Enemies of his Countrey, and in such a sort of battel died, not by the hand of a noble Gallant enemy, but by the teeth of a Savage wild Boar which he too hotly and rashly pursued. He being dead without issue, according to the last will of *Pelagius*, *Alfonsus* and *Ormisinda* were declared Kings with universal consent and applause of the People. *Alfonsus* was the Son of Peter Duke of *Calabria*, sprung from the Noble bloud of King *Ricarede*. He had commanded Forces during the Reigns of *Egica* and *Witiza* when young, and of late brought a stout band of *Cantabrians*, and joyning himself with *Pelagius* had done excellent service against the *Saracens*, whereupon he gave him his Daughter *Ormisinda* to Wife, and from this marriage have the Kings of *Spain* proceeded in an unquestionable line; Son from Father, as writes *Mariana*. He was a man of excellent Parts most fit for government, a great States-man, and an excellent Souldier, well arm'd against adversity, but to be admired for his rare felicity and success in all his undertakings, and very religious, whereupon he had the firname of *Catholick*, a Title formerly given to *Ricarede* his Ancestour for his renouncing the *Arian* Tenets, by the Synod then held in his City of *Toledo*.

Pelagius dies.

Favila succeeds.

Then *Alfonsus*.

Aldefonsus Toletanus & alii.

22. About this time died *Eudo* the Duke of *Aquitain*, whose Dominions in *Gall* *Charles Martell* seized, and therein placed Garrisons to defend them. His three Sons *Aznar*, *Hunnold* and *Vaifer* or *Gaifar*, sensible of the injury, and as Heirs to their Father's Courage as well as his Territories, presently take Arms. *Aznar* makes an Expedition in those parts of *Spain* which border upon the *Vascons*, where he takes the City *Java*, with many other Towns from the *Moors*, and gives Original to the People and Kingdom of *Aragon*, which some derive from the River *Arago*, which running through these Countries, joins it self with *Ega*, though others will have it framed of *Taracon*, whence the *Taraconian* Province was so called. *Hunwold* and *Gaifer* pass the *Rhosne*, and with great Terrour invade *Gall*, sparing nothing that Fire or Sword could destroy, not sucking Babes, nor such as Age had placed more than half in the Grave already. The *Allobroges* they harassed most cruelly, and *Vienna* being with much adoe kept from them, they pierced into the more inward Parts of *Gall*. Not content with what they could doe themselves, they join with *Mauritius*, the Count of *Marseilles*, and all three to doe mischief to *Martell*, once again call in the *Moors*, who were ready enough to come uncalled; the last knock that they got not having so smarted, but that their longing after so pleasant a Countrey made them quickly forget the pain. By this time one *Aucapa* had succeeded *Abdelmelic* in the Government of the *Mooriſh Spain*, after he was accused of ill administration, and in Bonds constrained to plead his Cause by a certain Noble man of that Nation, and a man most zealous of their superstition. *Aucapa*, by the assistence of *Mauritius*, took the City *Avinion*, and miserably wasted all the Countrey about it, which happened five years after the Defeat at *Tours*, in the first of the Reign of King *Alfonsus*. The Countrey was indeed very much wasted and distressed by the Conjunction of these Great ones; but by the extraordinary Valour and Conduct of *Martell*, all was again recovered; *Avinion* and *Narbon* both recovered, and scarcely any thing left either to the *Moors* or *Goths* in *Gall*.

The Original of the Kingdom of *Aragon*.

Aucapa Governour of the *Mooriſh Spain*.

23. In

Sect. 3.

23. In *Africk*, at this time, were as great Disorders carried on with more tumult and pertinacious wilfulness. One *Belgius Abembexius*, a Duke of great Interest amongst the *Moors*, raised a Rebellion against *Iscam* the *Miramamolin*, for what reason we know not; but probably whatever was pretended, moved by the common motive of Ambition. Many battels were fought, wherein he being often Victour, crossed over into *Spain*, which then was again governed by *Abdelmelic*, whom his Adversary *Aucapa* upon his death-bed had ordered to be let out of prison. *Belgius* not long after his Inlargement arriving in *Spain*, had sent before him *Abderrahman* with a strong band of men, who drove him into *Corduba*, and there taking him alive, miserably tortured him to death to satiate his malitious mind. In the same year, which was the forty third, or the eighth Age, died *Iscam* the *Miramamolin*, after he had reigned nineteen years, a Prince renowned for the vastness of his Empire, and his great success, but so excessive covetous, that he omitted no way of scraping wealth together, excelling in riches all his Predecessours. For this reason he was so hated by several of the Provinces, that they refused to pay him obedience for the space of four years, during which time, notwithstanding all the force he used, he could not reduce them into order. But to see the extent of his Dominions, we shall present the Reader with an Account of the Provinces subject to him and the *Mahometan* superstition, as we have it from *Rodericus Ximenius* the Archbishop of *Toledo*, who wrote the History of those *Arabians*. He begins with *Iconia*, the Metropolis whereof was *Iconium*; then follow *Lystria*, whose Metropolis was *Lystra*; *Alapia*, that had a Metropolis of its own name; *Chaldæa*, whose Metropolis was once *Babylon*, but then destroyed; *Assyria*, the Metropolis being *Ninive* of old; *Media*, the Metropolis of which was *Echatane*; *Hyrcania*, whose Metropolis was *Anthiolas*; *Persia*, its Metropolis being *Susa*; *Mesopotamia*, the Metropolis of which was *Aram* or *Carra*; *Syria* the upper, with its Metropolis *Damascus*; *Cœlosyria* or *Phœnicia* with *Tyre*; *Syria* the Inferiour with *Antioch*; *Judæa* with *Jerusalem*; *Ægypt* with *Alexandria*; *Arabia* the Greater with *Baldac* its Metropolis; *Æthiopia* with *Nadaver*; *Africk* with *Carthage*; *Spain* with *Toledo*. All these Provinces did the Sect and Sword of *Mahomet* subdue. Sometimes also *Sicily*, whose Metropolis was *Panormus*; and *Calabria*, whose ancient Metropolis was *Rhegium*, part of *Apulia*; *Gallia Gothica*, whose Metropolis was *Narbon*; and the *Vascones*, the Metropolis of which were *Auxis* and *Bourdeaux*. So vast was grown the Empire and Rule of those Sons of *Ishmael*, the History of which it's a great pity, we have little farther than as it concerns Christian Affairs.

Belgii Abembexius Rodericus Ximenius.

Iscam the *Miramamolin* dies.

Roderic. Toletan. Hist. Arabum, cap. 12.

His Dominions.

24. To *Iscam* succeeded *Alulit*, sirnamed the *Fair*, the Son of *Izit*, with greater applause than success, as the Sequel shewed. In *Africk* he was sorely put to it by the Arms of *Belgius*, and in *Spain* by *Doran*, one of the Complices of that Rebel. Against *Doran* was sent *Albulcatar*, in the beginning of the Reign of *Alulit*, who much appeased the Countrey, sending the greatest part of the Mutineers into *Africk*, under pretence of supplying the force of that Province. But within a short time the *Moors* rose up against him, and he was slain by the means and procurement of one *Zimael*; which done, they advanced one *Roba* the chief Favourer and Assistant of *Zimael* into his place, who lived not long to enjoy his Usurped power, being by the contrary Faction slain with a greater Number of his followers. About the same time dies *Alulit* the *Miramamolin*, or Sovereign of the *Arabians* in their Hundred, and twenty seventh year, according to *Roderick* the Archbishop, which fell into the seven hundred and forty fourth year of our Lord, and was succeeded by *Ibrahem* his Brother with as bad success. For *Maroan*, another *Arabian* of the *Humeian* family conspired against him and murthered him in his Palace, when he had reigned little more than one year. In his time *Toba* governed *Spain*, but dying within a year, all the Senate of the Palace of the *Arabians* (as our Authour words it) made choice of one *Juzeph* (or *Iuceph*) to succeed him. He was a very old man, and as it is familiar to old age, was highly covetous; but what is not familiar, was also infamous for lust, whereby he obliterated the glory of his former Actions; and was so contemptible, that the *Spanish Moors* rose in Rebellion against him. During his Reign were seen at *Corduba* three Suns, a sight which mightily disturbed the ignorant people, which understood not the Philosophy of a thick and opace Cloud, and shapes of men were seen carrying Forks in their hands. This might portend the Invasion of *Angli*, by the depredations of whom the Borders of *Spain* were afflicted with a dreadfull Famine, as also the Tumults and Wars which shortly after befell the *Moors* in *Africk*.

Alulit succeeds.

Roderico Toletano no Tobam. alias Praba.

A. D. 744.

Roderici Mardan.

Then *Ibrahem*, who is murthered by *Maroan* the Usurper.

Al. Toaba & Thoba.

Al. Juzeph. Juzeph Arabibus, quem nos Josephum appellamus.

25. For

Sect. 3.

Roderico Alabeci hinc Abdalla Benallabeci ayud eum.

25. For *Abdalla* descended of the most Noble Family of the *Alavecins*, looking upon *Maroan* no otherwise than as an Usurper, conspired against him, which he understanding, with the publick treasures fled from his Palace into *Libya*, there to prepare himself for War. *Abdalla* fearing nothing, by persuasion of the Nobility was Inagurated, and sent his Uncle *Zali* with an infinite number of *Arabians* and *Persians* against *Maroan*, who pursued him from place to place, for he had so ill treated the *Saracens* in his Government, that no where could he find any shelter. At length passing the *Nile*, in a place by them called *Azan* or *Azimum*, they came to an Engagement with missile weapons, which lasted for two days, and on the third was *Maroan* slain, with many of his followers. Now *Roderick* the Archbishop tells us, that from *Mahomet*, till these times, the *Arabians* on both sides the Seas were governed by one Sovereign Prince, whom he calls their *Amiramomen*, and that those that were descended from the family of *Benelabec*, deposed or drove from the Sovereignty such as drew their Pedigree from that of *Abenhumey*, and endeavoured utterly to destroy them. These Families of *Humey* and *Alabeci* came of the two Daughters of *Mahomet*, whence arose the emulation and discord betwixt them. Others reported that *Mahomet* had but one Daughter called *Fatima*, which married *Alyabrietalep*, the Scribe or Secretary of *Mahomet*, who reigned the fourth in order from him four years and eight days; and it's said, that from him and *Fatima* proceeded these two Potent and Contending Families.

For is slain by the forces of *Abdalla*.

26. But, in the mean while, *Alfonsus* (that we may see how the lately revived Kingdom of the *Goths* prospers) made good use of the differences and confusions amongst the *Moors*, enlarging his Kingdom by Arms, which hitherto had been very narrow. He had the better opportunity to doe it, because the Christians which inhabited amongst the *Saracens* were so weary of their new Lords, that esteeming death better than that unsupportable bondage they underwent, they thought fit to venture and try whether they could both prevent the one and shake off the other, by betaking themselves to him, and fighting under so hopefull and encouraging a General. In *Gallicia*, *Lucas*, *Tuda* and *Asturia* were recovered; in *Lustania*, *Portus Cale* (which standing upon the mouth of the River *Durius*, afterward changed the Name of *Lustania* into *Portugal*) *Pax Julia*, *Bracara*, *Viseum*, *Flavia*, *Bletisa* and *Sentica*, which two last Cities are now known by the Names of *Ledesma* and *Zamora*. Besides these he reduced *Septimaneæ*, *Dominæ*, *Miranda*, *Segobia*, *Abula* and *Sepulneda* standing at the foot of the Hill *Orospeda*, and upon the bank of the River *Durato*, a Town strong by its natural site, formerly called *Segobriga*, being a *Municipium* of good esteem. Carried by the same course of victory into remote Parts, he conquered some Towns amongst the *Vandali*. Amongst the *Vascons Pampolo*, and in *Cantabria* that part which is now called *Alava*, although the various fortune of War in following times carried back again most of these Cities to the *Moors*, by reason of erecting of their Kingdom of *Corduba*, begun in those times to the great damage of Christianity, and afterward to its greater detriment carried on and inlarged. Thus much did *Alfonsus* doe for the recovery of the ancient Possessions of the Christians; but some would have him doe more than he did, writing that by force of his Arms all *Cantabria* was conquered and recovered from the *Moors*; wherefore it may evidently appear from more ancient Monuments, that the *Moors* never came beyond the place commonly called the *Rock with the Hole* by the *Cantabrians*. At length he died in the seventy fourth year of his Age, and the nineteenth of his Reign, in the seven hundred and fifty seventh year of our Lord, and was buried where he died, *viz.* at *Canica*. By his Wife *Ormisinda* he had four Sons, *Froila*, *Bimaran*, *Aurelius* and *Vsenda*; and one by a Concubine named *Mauregatus*. He had a Brother, *Froila* by name, happy and famous for nothing so much as that he was Father to *Aurelius* and *Veremund*.

Alfonsus recovers several places from the *Moors*.

A. D. 757.

Dies.

27. To *Alfonsus* succeeded his Son *Froila*, according to his Birth-right, and the desires of the People, a Prince whom one can hardly call either Good or Bad, so mixt, it's said, was his Government, and his Actions different. By nature he was fierce, rigid in his manners, and by his flatterers put upon such courses as they called wholesomely severe, but others could not but mark them with the name of Cruel. Amongst his good deeds he is commended for founding the Noble City *Onetum* in *Asturia*, the praise of which some erroniously ascribe unto his Father. The liberty of Marriage brought in by *Witiza*, he took away, for which some think him worse spoken of than he did deserve. For in Military matters, though he did not equal, yet he seems to have imitated his Father. In the second year of his Reign, *Juzeph* the *Moorish* Governour having invaded the borders of *Gallicia* with a vast

Froila succeeds.

Defeats *Juzeph* the *Moorish* Governour.

Sect. 2. vast Army, he met and gave him battel and defeated him, fifty thousand men perishing in the place; no Age knew a greater victory, nor more seasonable for the Interest of Christianity. This overthrow was not more seasonable for the Christians, than convenient for the design of *Abderrahman*, who being of the family of *Humey*, and sorely persecuted by *Abdalla*, him that had lately brought the Sovereignty to the House of *Alabeci*, and by all means endeavoured to root out the whole stock of the contrary faction, fled into *Spain*, where for the favour they bore to his Family, for the many good offices his Ancestours had done to the Countrey, he was kindly received. Onely *Juzeph* opposed him, and gathering an Army, met him in the field, but was defeated, and fled to *Toledo*. *Malaca*, *Assidona* and *Sevil* had before this yielded to *Abderrahman*, and now he laid Siege to *Bela*. *Juzeph* privately stole away to *Corduba*, where making no long stay, he passed to *Granata*, and there *Abderrahman* got him into his hands. But using him, it seems, too mercifully, from *Corduba* he fled to *Emerita*, where getting together nigh twenty thousand men, he made Incursions into the Territories belonging to the Friends of *Abderrahman*, till by a stronger force he was restrained, and driven to *Toledo*, where thinking himself in security, he was slain. The Town quickly yielded to *Abderrahman*, who by universal consent of the *Moors*, begun a Kingdom at *Corduba*, to which they all subjected themselves without any dependence upon, or duty acknowledged to, any other *Miramamolin* or Potentate whatsoever. This New Kingdom, by the means of this *Abdarrahman Abenhumeia*, sirnamed *Adahil*, began in the hundred and forty second year of the *Arabians*, in the seven hundred fifty ninth year of our Lord.

Abderrahman begins a *Moorish* Kingdom at *Corduba*.

Roderico Toletano Abderramen.

A. D. 759.

28. Against this New *Moorish* King, *Valentia*, a City of the *Edetani*, in the *Tarraconian* Province, was the onely place that stood out, and refused to acknowledge his Jurisdiction. But e'er long it found reason to yield, and whereas some of his own Nation rebelled against him, he had the good fortune to suppress the Rebellion, and animadverted upon the principal offenders by several sorts of exemplary punishments. The Barbarian elevated by so great felicity, made War upon the People of *Gallicia*, and laid Siege to *Pax Julia*, a place of *Portugal*, or this time called *Beja*. But he had to doe with one in those places, who knew as well to keep, as he to get, viz. *Froila*, by whose victorious Arms he was repulsed, as well as all the Mutineers which possibly held intelligence with him. For *Froila* by the same course of felicity reduced to obedience the Inhabitants of *Gallicia*, as also the Rebellious *Vascons*, in which expedition he married *Menina*, some call her *Momerana*, the Daughter of *Eudo* Duke of *Aquitain*, and Sister to *Aznar*. Thus he proceeded, and might be ranked amongst great and good Princes, but that he blemished all by cruelly murthering his Brother *Bimaran*, a Prince beloved by the People for the beauty both of his Body and Mind, with his own hand, though probably he might not want provocation. Indifferent persons suspect there might be Ambition in the case, and that those whom the King's severity alienated from him, might push on *Bimaran* to some dangerous attempt. Whatever the cause was, he could not wash away with all he could doe, the crime of reputed Paricide, being ill thought and spoken of, both alive and dead upon this account, although to redeem his credit he adopted *Veremund* for his Successour, the Son of his slain and lamented Brother. But this would not doe the work, whatever he did was either ill done or ill taken, so that running out of one fault and inconvenience into another, he was killed at last at *Canica*, and was buried at his *Onetum*. He reigned eleven years, five months and twenty days, as some ancient * Histories relate, although † *Roderick* the Archbishop gives to his Reign no fewer than thirteen years complete.

Is beaten by *Froila*.

Who is murthered.

* *Alchaicensis Codex*; *Aliud Chronic. peruetustum & Historia Compostellana.*

† *De Reb. Hisp. lib. 4. c. 6.*

29. *Froila* by his Wife *Menina* had a Son named *Alfonsus*, and a Daughter called *Ximena*. But *Aurelius* who slew him to revenge the death of *Bimeran* (his Brother or Cousin, it's uncertain, for some make *Aurelius* the Son of *Froila*, *Alfonsus* his Brother) by consent of the Nation was made King in the seven hundred sixty eighth year of our Lord. He reigned six years and as many months, being famous for no great matters performed. He suppressed indeed the Slaves, which now trusting to the confusion and uncertainty of the times, rebelled. But the fame of this Action, and more than this could not equal the dishonour he got by the League which he made with the *Moors*, by virtue whereof he was to pay a yearly tribute of Virgins to those Infidels. The terrour of *Abderrahman's* Name was so great, that it frighted them into this compliance, lest he, a man very fierce and active, should bring all his strength against their weak and scarcely setled Kingdom. *Aurelius* having no children (it doth not appear he had any Wife) gave his Sister *Adosinda* in marriage

Aurelius chosen in his place.

Next *Silo* is made King, who takes *Alfonsus* the Second for his Partner.

Sect. 2. marriage to one *Silo*, a man of great Nobility, with hopes to succeed him. His hope was not vain, for *Aurelius* being dead, for the sake of his Wife he was admitted King, and reigned nine years, one month and a day. He reduced into order the mutinous People of *Gallicia*, but being either by reason of his Age or his own temper unfit for Government, by persuasion of his Wife he took *Alfonsus* the Son of *Froila* to be his Partner in the Kingdom, such being the misfortune of the times, that when the State, by reason of its weakness, and so powerfull a Neighbour, required the most able and most active Princes to govern it, weak and idle men happened to preside and move the Helm.

Alfonsus reigns alone.

30. After *Silo*'s death, *Alfonsus* was confirmed in the Government, the People having forgot his Father's faults, which his own and excellent demeanour had in a great measure also covered. Onely *Mauregatus* his Uncle (and that by a Concubine) found himself concerned, alledging that he himself was nearer in bloud to the former Kings, and there wanted not some Male-contents, who flattered him with continual suggestions that he was injured. But finding not strength enough at home, he betook himself to the *Moors*, and to get assistence from them, offer'd, that in case they made him King, to pay them a yearly Tribute of fifty Noble Virgins, and as many out of the Inferiour sort. These Infidels being a people above all others given to leachery, to gratifie their lust, and out of Ambition to have a Christian King, their Tributary, granted his request, and by permission of their King an Army was levied, which *Alfonsus* finding himself unable to resist, being as yet unsetled in his place, gave way to fortune and his Competitour, and returned into *Cantabria*, being now twenty five years old, hoping there to find good friends, by reason of his Mother's kindred. *Mauregatus* then obtained the Throne, and was eminent for nothing but the dishonesty and filthiness of his manners, wherein having spent five years and six months, he then left this world, and was buried at *Pravia* in the seven hundred and eighty eighth year of our Lord. In the same year died *Abderrahman* King of the *Moors* at *Corduba*, having reigned nine and twenty years, and adorned that City with an excellent Castle, rarely contrived Gardens, and such a Mosque, as being now turned into a Cathedral Church for its beautifull Structure, multitude and variety of Pillars seems miraculous. He left eleven Sons and nine Daughters. Of the Sons, the eldest *Zuleman* he had made in his life time Governour of *Toledo*, and at his death appointed him his Successour. But *Issem* his second by his presence at *Corduba*, having got the opportunity of Cajolling the People, set up for himself, and what he justly or unjustly got, in the same manner kept and preserved.

But outed by *Mauregatus* with the assistence of the *Moors*.

A. D. 783.

Abderrahman dies.

Tolstans Hisham, Alfonso Regi Ixeta, Rasi Timien, Mariane Issem.

Issem seizes on the Government of the *Moors*.

31. Against *Zuleman* he so stoutly defended himself, that he forced him to sell his Pretensions for sixty thousand *Aurei* and to go into *Africk*, as did his other Brother *Abdalla*, with whom he also compounded, after he had made an Insurrection. Having conquered all opposition, he lengthened out his Reign to seven years, seven months and seven days. To *Mauregatus* succeeded *Veremundus*, though upon what title is not agreed, for Authours differ about his Genealogy, some making him the Son of *Bimaran*, who was killed by his Brother *Froila*, and others of *Froila* the Brother of *Alfonsus* the Catholick, which seems most probable, being most approved by learned men, and attested by the Chronicle, which hath gone under the Name of *Alfonsus* the Catholick. He reigned three years and five months, and of his Wife *Numilo* (or *Usenda*) begat two Sons *Ramir* and *Garsias*; but forasmuch as he was in Orders, and a Deacon, he is said afterwards to have abstained from her company. Otherwise he was a modest and temperate man, by confession of such as were against his marriage, of a peaceable spirit, neither by art nor nature fit for Arms. But herein his care for the Publick appears, that being not fit himself for business, he chose for his Collegue such an one as to whom those things were most proper, viz. *Alfonsus* his Kinsman, whom *Mauregatus* had banished into *Cantabria*, solemnizing his Inauguration or Restitution on the nineteenth day of *July*, in the seven hundred ninety first year of our Lord. *Alfonsus* after this governed a long time, and was second to none for his perpetual felicity, his Clemency, Munificence, his Religion and his Skill in matters relating to War.

To *Mauregatus* succeeds *Veremundus*.

Who makes *Alfonsus* the Third his Partner in the Kingdom.

A. D. 791.

32. The hope of this his Skill was much confirmed by the victory he obtained over the *Moors*, in the third year after his Restitution. For whereas by virtue of the agreement made by *Mauregatus*, such a Number of Christian Virgins was yearly to be delivered to them as a Tribute, he abhorring it as a most wicked thing, when for want of payment they made Inroads into the Countrey, he met and gave them battel at a Town called *Ledes*, where they received so total a defeat, that seventy thousand men were slain, and his Subjects now began to lift up their heads

Sect. 3. as freed from bondage. For the *Moors* were hereby so weakned, that having work made them elsewhere, they had no opportunity or power to revenge the loss; the *Vascons* putting them to it on one hand, and the Arms of *Charles* the Great, who now began to grow famous, much molesting them on the other; so that by one means or other they lost many Towns upon the Borders. This caused *Issem* the *Miramamolin*, to send away *Abdelmolic* a Captain of great Note, to restore his Interest in those Quarters, who retook *Gerunda* and *Narbon*, whence he had Slaves to help to perfect the structure of the *Mosque* at *Corduba*. He caused another Bridge to be built to the Castle in that City. He first of all the Moorish Kings used three thousand of Renegado Christians as a Guard, and had constantly two thousand Eunuchs that followed his Court. He died in the seven hundred and ninety fifth year of our Lord, leaving *Albaca* his Son his Successour, who Reigned six and twenty years, ten months and fifteen days, being a Prince of great prudence, Justice and Liberality as can be imagined amongst that People. And to him some ascribe the Guard of five thousand men, Apostate Christians and Eunuchs, which others say, was first raised by his Father.

Issem the *Miramamolin* dies leaving *Albaca* his Successour.

Albaca Toletan. alias Hilibara.

33. In the mean time died *Veremund* and was buried at *Onetum*, where the Monuments of him and his Wife were seen long after. Then did *Alfonsus* govern alone, and abstaining from the imbraces of his Wife, *Bertha*, obtained the Sirname of the Chaste. His former Glories were within a little while something obscured, at least so he thought, by a Clandestine Marriage of his Sister *Ximena* to *Sandias*, or *Sanctius* the Count of *Soldania*; from which Marriage proceeded *Bernard*, who had the Sirname of *Carpensis*, and is much celebrated for his great Atchievements by the Writers of the *Spanish* Story. *Alfonsus* for all his Vertue could not bear such an Indignity offered to his Family, but calling the Count to *Leon*, upon pretence of the Assembly of the Estates, he was accused of Treason, and having his Eyes put out, was condemned to perpetual Prison, there to bewail his own Ambition, or rather the Cruelty of the King. *Semena* was constrained to go into a Monastery; but the Infant he well provided for, bringing him up with as much Care and Respect, as if he had been his own Son. In the mean time the *Moors* could not be quiet amongst themselves. *Zuleman* and *Abdalla* the Uncles of the new King grudged him his preferment, and left nothing undone to remove him from it. Some say, that *Abdalla* craved aid of *Charles* the Great, who sent his Son *Ludovicus* to assist him, and that the Army of the *Franks* pierced into *Spain*, as far as *Osca*. Others write, that both the Brothers at this time came over out of *Africk*, *Abdalla* having by connivence of the Citizens first seized upon *Valentia*, and then sent for the other. Making frequent Irruptions into the Countrey, they made great waste round about, and at last had the Boldness to give Battel to *Albaca* the *Miramamolin*, who had the good Fortune after great Effusion of Bloud, to get the Victory. *Zuleman* was slain in the Battel: *Abdalla* escaped to *Valentia*, where seriously considering of his Affairs, thought it best to be quiet, and made Peace with his Nephew on this Condition, to have such an allowance as might maintain him according to his Quality. To the King he sent his Sons, who used them with great Respect as his Cousin *Germans*, and to one of them he Married his Sister. These things happened in the fifth year of the Reign of *Albaca*, in the hundred and eighty fourth of the *Arabians*.

Veremund dies leaving *Alfonsus* the Monarch.

A Rebellion amongst the *Moors*.

34. These disturbances amongst the *Moors*, made well for *Alfonsus*, who had thereby opportunity to strengthen and inlarge his Kingdom. Some Writers now relate, how by the Assistence of *Charles* the Great he recovered *Olispo*, or *Lisbon* the principal Town of *Lusitania* out of their hands, as also *Barcelona*; and that *Alfonsus* sent to *Charles* a very splendid Embassy, the Embassadours being *Fruela* and *Basilicus*, who carried with them a rich Present of Horses, Arms and Slaves, besides a Pavilion of admirable size and Workmanship, the spoils of the conquered City of *Lisbon*. But such Writers as tell these stories, are * Strangers concerned for the Honour and Reputation of *Charles*, the *Spanish* Historians being herein wholly silent. *Barcelona* indeed in these times, was by *Charles* the Great taken from the *Moors*, and twice was *Lisbon* freed from the Tyranny of the *Moors*, and each time the thing was done by an *Alphonsus*. But this was long time after, *viz.* it was first taken by *Alphonsus* the sixth, him who also recovered *Toledo*, about the one thousand and ninety third year of our Lord, and again by *Alphonsus Henricus* the first King of *Portugal* about fifty years after. That it was taken by *Alphonsus* the Chaste, (for no other *Alphonsus* lived in the time of *Charles* the Great) is no where to be found in any *Spanish* Monument of Antiquity. This we find constantly

* *Jacobus Magnus in Chronico rerum Flandricarum Platina in vita Leonis tertii.*

Codex Alcobacensis, & vetus Chronicon apud Joh. Vasæum ad A. D. 751.

stantly reported, that *Charles* the Great was more than once in *Spain*: First immediately after his Father's death, solicited by *Ibnabala* the *Moor*, with hope of taking *Spain* from that People, and at this time they will have him to have made himself Master of *Pompelona*, which he dismantled at his retreat after that he had seised *Ibnabala* King of *Saragossa*. In his return, as he passed the Straits of the *Pyrenæan* Mountains, he was set upon by the *Vascons*, and with the loss of his Treasures, and many men, returned with small Reputation into *Germany*. He had *Gerunda* and *Barcino* put into his hands by the *Moors*, and thence came the Counts of *Barcelona* and the Original of the *Catalonians*, the *Cathelauni*, who lived formerly about *Tolouse* now coming and planting themselves in this part of *Spain*. For as for their Opinion, who make *Catalaunia* a word compounded of *Goths* and *Alans*, and theirs who derive it from *Catalo* a Goverour of *Aquitain*, at such time as *Charles Martell* seized on that Dukedom, and outed the Sons of *Eudo*, they seem improbable to Learned men.

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The Original of the *Catalonians* whence.

Quasi Gothalania.

35. A certain *French* Authour hath written, that *Charles* after a little time having taken *Narbon* from the *Moors* returned again into *Spain*, and made himself Master of that which hath the Name of old *Catalaunia* amongst the *Ceretani*, and gave the *Moors* Battel in that Valley, which afterward received a Name from him. Others add that he came into *Spain* again, to view the Body of St. *James*, which they say was now found at *Compostella*, and that the Prelate of that place, by his Order and Command was made Primate over the rest of the Churches of *Spain*; Stories that have no Foundation in Antiquity. After this he went to *Rome*, where by means of *Leo* the Bishop, he was saluted *Augustus* or Emperour, as we shew at large in its proper place; and then again returning into *Germany*, they thence bring him into *Spain* upon this occasion. *Alfonsus* being now old, and tired with the tedious War, he had constantly with the *Moors*, wherein his Success answered not his great pains and Travel, invited *Charles* into *Spain*, to whom he offered the Succession in his Kingdom, as a reward, he himself having no Children. He, although he was also stricken in years, yet designing *Spain* to *Bernard* the Son of his deceased Son: *Pipin* whom he had already made King of *Italy*, refused not the terms, but with a great power of men, began his march, not doubting to carry all before him, when the Councils of both the Princes, as it's hard to conceal the purposes of such Expeditions, were betrayed. The Nobility of *Spain* presently began to exclaim, they should never endure to be subject to the *Franks*, an insolent Nation, and Cruel, for thereby they should not shake off the yoke they underwent, but onely change for an heavier. Every one muttered these things in private, yet none publickly dared to resist the King's intentions, till *Bernard* Sirnamed *Carpensis* his Nephew, a man whose Bloud boyled in his veins, and the more by reason of the hope he had hitherto had of his Uncle's good Inclinations towards him, offered himself as Captain to all that would follow him; and then began *Alfonsus* to cool in his Desires he had to *Charles* his coming. *Marsilius* the *Moor* King of *Cæsar Augusta*, who was at Enmity with the Emperour, upon the Account of *Ibnabala*, whom he had driven away, was drawn to the *Spanish* side. Now the Tide is turned, and *Charles* not willing to put up such an affront marcheth forward.

Thornichus apud Marianam, de Rebus Hisp. l. 7. c. 11.

Alfonsus invites *Charles* the *French* King in to *Spain*.

Duodecim ab urbe Salmantica lapide, quibus Isis Alba fita est, Carpium Arcem ædificavit, unde illi Carpensis Cognomentum factum.

36. Here now we are at a loss, if he be not, wanting a certain guide to Conduct us in the Relation of this adventure. The *French* Writers tell us, that he pierced into *Spain*, and returned not till he had wasted the Countrey far and wide, after a Victory obtained in a set Battel, which done, he was opposed at the Straits in his retreat. On the contrary, the *Spanish* deny that he ever reached the Inwards of the Countrey, but in the Valley of *Roscida* in the Forest of the *Vascons*, a stop was put to his Expedition. The Battel of the *Franks*, was led by *Roland* the Count of *Britain*, *Anselme* and *Eginard* principal men in the Court of *Charles*; but the place would not give them leave to open their Ranks, or march in any bredth; the *Spaniards* therefore, before they could get themselves into any posture of fighting from the higher ground killed many. In the first encounter *Rolland* was slain, concerning whom many Romances or fabulous Stories have been told, and written by both Nations. *Charles* hereat exceedingly startled, is said by a Speech to have reprehended and quickened his men, as forgetting their former Trade of Victory, and by his Art to have put them into as good a posture, as the place and Inconveniency of it would suffer him. Then followed a most bloudy Contest, wherein a great number of the best and noblest *Franks* fell; being discouraged by a report, that the *Moors* were come to the Assistence of the *Spaniards*, and had got beyond

Sect. 3. beyond them, and were ready to fall upon their backs. No place, now cry our *Spaniſh* Writers, was ever more noble or famous for an overthrow of the *Franks*, but they are ſo ingenuous as to tell you, that *Charles* did not take revenge, and wipe off the diſgrace of this defeat, becauſe he was prevented by Death, dying at *Aquiſgrave* not long after, *Roderick* the Archbiſhop writes, that *Alfonſus* was preſent at the Battel. The *Vaſcons* affirmed, that the Victory was obtained by the means of *Garſias* the King of *Suprarbis* eſpecially. On the contrary, the Writers of the *French* Hiſtory do not aſcribe this Victory at all to the Valour of the *Spaniards*, but to the Treachery of one *Gatalon*, ſuch diverſity of Opinions there is founded upon that of Intereſt; and while both Nations ſtrive one to get the renown, and the other to prevent diſgrace, they have ſo confounded the ſtory, that by-ſtanders can find nothing that's certain in it. And to ſpeak Impartially, not onely the Circumſtances, but the ſubſtance of the thing may juſtly be called into queſtion: As thoſe Hiſtorians that have written of it, can ſcarcely in one accident as to time and place agree, ſo thoſe who had moſt reaſon to know, write nothing at all of it. *Eginhart*, who was Secretary to *Charles*, and from whom nothing could be hid, never makes mention of the Fight, in the Hiſtory he wrote of his Life yet extant. The *Spaniards* might have ſome cauſe herein to ſuſpect his Partiality and Malice, but that if they turn over the Chronicle of their own King *Alfonſus* the Great, which not long after theſe times, he dedicated to *Sebaſtian* the Biſhop of *Salmantica*, though by reaſon of his living ſo near to thoſe days, he might have opportunity to know the truth, and it concerned him not to omit any thing that tended to the Glory of his own Nation, yet they ſhall therein find as deep a ſilence. Let the Reader therefore, either take the ſtory of this Expedition, and defeat of *Charles* the Great for a truth, or let him if he pleaſe joyn it as an Appendix, as near akin to the famous Adventures of *Orlando Furioſo*, the iſſue of the fruitfull Brain of *Arioſto* the Poet.

37. To return into *Spain* and take our leave, the reſt of his time *Alfonſus* paſſed with Quiet and Tranquillity, giving him ſufficient opportunity to practiſe the Arts of Peace and Religion, as he had done formerly that of War. And this was his great Commendation, that whereas other Princes too often make the publick Intereſt truckle to their private concerns, whether of Profit or Pleaſure, he meaſured every thing by the Standard of the Kingdom, Sacrificing his own particular advantages of Pomp and Revenue, to the Enrichment and Ornament of his Countrey. The diſſention and Enmity which afterward aroſe betwixt him and his Nephew *Bernard*, ſeems to have been the greateſt part of his inſelicity. *Bernard* having done ſo great Services in the Field, thought he had deſerved ſo great a favour at his Uncle's hands, as the ſetting at Liberty of his blind Father, and when it would not (out of ſome deep Myſtery of ſtate doubtleſs) be granted, conceived ſo great Indignation thereat, that firſt obtaining a diſmiſſion from Service, he departed to *Saldania* his Father's Town, reſolving to watch for an opportunity to be revenged. And the extreme Age of the King, together with the good Inclinations of the People to him gave him opportunity enough of making Incurſions and Depredations in his Territories, without controll. This proved very unhappy for them both, for whereas *Bernard* if he had had but a little patience might within a little while have expected to have been in Poſſeſſion of the Kingdom it ſelf, and all other his Wiſhes with it, now was *Alfonſus* ſo provoked with the revolt, that in the Aſſembly of the Eſtates in his extreme Age, he procured *Ramir* the Son of *Veremund* to be choſen his Succeſſour, and *Bernard* to be laid aſide, who could never after make good his Pretences, but notwithſtanding all his Indeavours died without ever obtaining that Crown he had had ſo great reaſon to expect, though where, or in what condition Writers differ. As for *Alfonſus*, not long after he had made ſuch a choice, as neither ſuited his Judgment, nor his Relation as an Uncle, he ſhortly after died when he had lived eighty five years, and Reigned fifty two, five months and thirteen days, in the eight hundred forty fourth year of our Lord, which Account differs a little from the Copy of the Chronicle of *Alfonſus* the Great, who began his Reign but eighteen years after, but agrees with the Liſt of *Compoſtella*, and other ancient Monuments of Hiſtory.

Bernard revolts, which makes *Alfonſus* chuſe *Ramir* his Succeſſour.

Alfonſus 3d. dies. *A. D.* 844.

38. The Quiet and Peace which we ſaid *Alfonſus* enjoyed, was very much effected by the Seditions and Troubles under which the Kingdom of the *Moors* laboured at the ſame time. Eaſe and plenty make a People tumultuous, and a ſtate if it have no Enemies without it, will not very long ſtand without bringing ſome fourth out of it's own Bowels. The Inhabitants of *Toledo* for no ſufficient cauſe muſt

muſt be quarrelling with the Government, many burthens and Grievances are pretended. *Albaca* their King being a cunning and very cloſe man, and knowing *Ambroſius* the Governour of *Oſca* to be very acceptable to them, ſends him to them with Letters, wherein he caſts all the blame upon his Officers. They being more inclinable to rebell than furniſht with the Abilities of prudence and reſolution to carry them through a bold attempt, admit him int otheir Town, ſuſpecting nothing. He as cunningly Counterfeits himſelf the King's Enemy upon the account of ſeveral pretended diſobligations, and perſuades them to fortifie the City, by building a Caſtle (there where now ſtands the Church of St. *Chriſtopher*) and receiving a Garriſon. Theſe things being noiſed at Court, the King ſends *Abderrahman* his Son now twenty four years of Age to tame theſe Rebels, and he Counterfeiting the ſame Diſſatisfactions as *Ambroſius* had done under a ſhew of diſcontent revolts to them in the like manner, and is alſo received in. Now all things being prepared, five thouſand of the principal Townſmen are invited to a Feaſt, and when they leaſt thought it, have their throats cut, and ſo the Revolt of *Toledo*, as was congruous, Tragically ended. This might have been an example to their fellow Subjects; but yet ſuch as inhabited the Suburbs of *Corduba* were not hereby deterred from renouncing their obedience to *Albaca*. To reduce them, one *Abdelcarin* was ſent who had got reputation by taking the City *Calagunis*, and waſting the Countrey round about it, he with leſs trouble reduced the Mutineers, the whole Controverſie being decided, by hanging three hundred of them, all *Moors*. And this was at ſuch time as the Chriſtians obtained a double victory over the *Moors*, who had invaded the Territories of the Chriſtians in a double body. As a conſequent of this victory, *Ores* the Governour of *Emerita* thought himſelf obliged to raiſe the ſiege of *Beneventum*, upon the coming of *Alfonſus*; and *Alcama* the *Moor*, the Governour of *Pax Auguſta*, was conſtrained to riſe from before *Sentica* which he had beſieged. Not long after, one *Mahomet* an eminent Citizen of *Emerita* for what cauſe is uncertain, yet out of fear of *Abderrahman* committed himſelf to the Protection of *Alfonſus*, and had a place aſſigned him to inhabit within the Territories of *Gallicia*: But eight years after he rebelled and ſeized on the Town of St. *Chriſtine*, yet were his deſigns fruſtrated by the timely coming of the King, and fifty thouſand were ſlain on both ſides, amongſt whom *Mahomet* himſelf, the Great revolter. *Albaca* had the happineſs to ſee this Rebellion quieted, and then died in the twenty ſeventh year of his Reign, the two hundred and ſixth year of the *Arabians*; the eight hundred and twenty firſt year of our Lord. He left behind him nineteen Sons, and one and twenty Daughters, and was ſucceeded by *Abderrahman* his Son now above the Age of forty years.

A Maſſacre at *Toledo*.

The Inhabitants of *Corduba* reduced to obedience.

Albaca the *Miramamolin* dies, leaving *Abderrahman* the Second his Succeſſour. *A. D.* 821.

39. So went the Affairs of *Spain*, and ſuch was the State of the *Saracenian* Kingdom, which containing the greateſt part of that vaſt Countrey, gives denomination to this Part of our Hiſtory. The other Kingdom began by *Pelagius*, and the riſe and progreſs of which we have ſeen was ſo ſmall and contemptible, in reſpect of that which was in being before the Coming of the *Moors*, that though it was founded by thoſe of the ſame ſtock, and its Subjects conſiſt of men of the ſame Nation with the former, yet bore not the Name of the *Goths* as the other had done, but that of the *Aſtures*, *Gallicia*, *Legio* (or *Leon*) or *Onetum*. But beſides this newly raiſed Kingdom, there was another ſtart-up at this time, of which hitherto we have taken no notice. For that of the *Goths* being broken in pieces as out of the Ruines of a vaſt building, ſeveral little ones were erected. Some of the poor diſtreſſed *Spaniards* flying as far as they could from the publick calamity, went into *Aſturia*, and there ſet up the Kingdom of *Leon*, as we have already ſhewed. Others ſeized on the tops of the *Pyrenæan* Hills and the places difficult of Acceſs, where the *Cantabri* and *Vaſcons* were ſeated, beſides the *Lucetani*, *Ilergetes* and *Ceretani*, where now are ſeen *Ripagorſa*, *Suprarbe* and *Urgelia*. The fame of one *John*, a Religious perſon, cauſed many more to flock to thoſe parts, where being encouraged by the natural ſtrength of them, and invited to emulation by what their brethren had done in the Countrey of the *Aſtures*, they began to lay their heads together, how not onely to protect themſelves where they were, but to doe ſomething for caſting off the yoke of the *Saracens* from the neck of their Nation in general. After long and ſerious deliberation they reſolved, as *Pelagius* reigned in *Aſturia*, to have a King of their own to govern them, and made choice of one *Garſias Ximenius* to be the perſon, whom ſome will have deſcended of the Noble bloud of the *Goths*, otherwiſe nothing a-kin to the Royal family, but rather a *Spaniard*, as ſhould ſeem

Several petty Kingdoms.

Garſias Ximenius King of *Suprarbis*.

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Rem totam ſuſius Roderici Toletanus proſequitur in Arabum Hiſtoria & poſt illum in Chronicis Aſturiæ Rex.

seem by his Name, yet doubtless of a most Noble Race, the *Regulus* of *Ameſena* and *Alvarſoſa*. His Wife by Name *Eneca* was of as great Nobility.

40. At what time he began his Kingdom, Authours do not agree, though the most knowing place the Original of it near to the Advancement of *Pelagius*. But neither do they consent about the Name or Title of this New Kingdom, some calling it the Kingdom of *Suprarbis*, others of *Navarre*, and others of the *Vascons*, so great is the obscurity we have been forced to struggle with in these *Spanish* matters. The Arms of this Kingdom was *a plain white shield*, without any Pictures, say the Learned, or Charges, that we may not be blamed by our Heralds for speaking improperly. But *Garſias* having, it's said, no greater an Army than six hundred men, with them did wonders. He took several Towns from the *Moors*, as *Jaſa* and *Suprarbis*, the chief of all *Municipia* or free Towns which afterward had the honour to be esteemed the Metropolis of a Kingdom. This is agreed on on all sides, that he did much for his time, and died after he had reigned, say some two and forty years, and was buried in a Church called St. *John a Pegna*, from the high Rock where it was built by *John* the *Anchoret* first, but was much enlarged, beautified and enriched by *Garſias*, and afterward became the *Mauſoleum* of the Kings his Successours. He dying in the seven hundred and fifty eighth year of our Lord, was succeeded by his Son *Garſias Enecus*, who took his two Names from both those of his Father and Mother. This was a Prince of great abilities, and as great felicity. By his industry and valour were the *Vascons*, who hitherto fluctuated betwixt the Kings of the *Aſtures*, the *Moors* and the *Franks*, fully setled in the obedience of him and his posterity. He recovered *Pompolona*, the chief City of *Navarre*, with many other Towns and Forts, and extended his victorious Arms as far as that part of the bordering *Cantabria*, which bears the name of *Alava*. He is said to have reigned forty four years, and then in the eight hundred and second year of our Lord *Fortunius Garſias* to have succeeded, of whose actions many Romantick Stories are told by the Historians of the *Vascons*. He was at the Defeat (if a Defeat there was) of *Charles* the Great in the Valley of *Roſcida*. He reigned thirteen years, and then gave place to *Sanctius Garſias* his Son.

Who dying, *Garſias Enecus* his Son succeeds.

Who subdues the *Vascons*.

Recovers *Pompolona*.

Dies.

Fortunius Garſias succeeds.

Then *Sanctius Garſias*.

41. This *Sanctius* was a man of great Renown, did many things against the *Saracens*, out of the hands of whom he recovered the greatest part of *Navarre*. He is said to have reigned twenty years, and whether he left a Son or not, is uncertain. But either at or not long after his death his line failed, and then the Nobility is said to have consulted with Foreign Princes, as well as amongst themselves, what Conditions to put upon him who was to be elected. Lest the next should abuse his power, they enacted several written Laws, commonly called in Latin *Forum Suprarbis*, tending to the keeping of the King in order, who should doe nothing of moment without the consent of twelve Noblemen to be chosen for that purpose; to the maintenance of their Liberties, and to this provision, that such Lands as should be taken from the *Moors* should be divided betwixt the King and the Nobility. For the better effect of this, a middle person was chosen, commonly called the *Juſtitia* of *Aragon*, who having a power like to that of the Tribunes, and armed by the Laws and the Inclinations of the People, should restrain the exorbitant Power of the King. He that was first elected, and submitted to these Conditions, was *Enecus Sanctius*, from his swiftness sirnamed *Ariſta* Count of *Bigorræ*, or of the *Bigerriones* in *Aquitain*. But these things are beyond the extent of this present Volume, we onely detain. But these things are beyond the extent of this present Volume, we onely desired not to break off abruptly, but to leave the Reader in as much clearness as can be, who must farther know, that at this same time there were Counts of *Aragon*, descended from *Aznar* the Son of *Eudo*, as we before hinted, who mixed their bloud by intermarrying with the Kings of *Suprarbis*, and at length the title of the Kingdom was altered from this of *Suprarbis*, to that of *Aragon*. At the same time there were also Counts of *Caſtile*, from whom proceeded many Kings afterward as well as Noble families, which to this very day continue. These several Houses and Kingdoms by degrees got ground of that of the *Saracens*, and at length being united, drove the Infidels quite out of *Spain*. But this happened many Ages after the time whereof we write.

Who recovers the greatest part of *Navarre* from the *Saracens*.

His line failing.

The Nobility enact the *Forum Suprarbis*.

And the *Juſtitia* of *Aragon*.

And elect *Enecus Sanctius* for their King.

And the Counts of *Aragon*.

Counts of *Caſtile* joyning with others, drove the *Saracens* out of *Spain*.

FINIS.

THE TABLE.

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Alarick 2. *King of the* Goths *in* Spain *and* Gall 478.
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FINIS.